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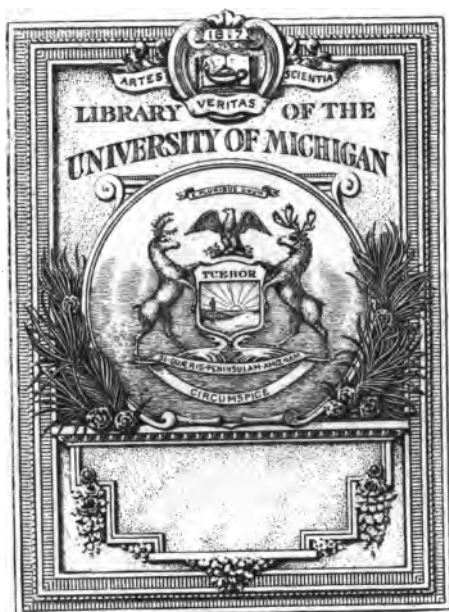
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THE
HISTORY
OF
HELVETIA,
CONTAINING THE
RISE AND PROGRESS
OF THE
FEDERATIVE REPUBLICS,
TO THE MIDDLE OF
THE FIFTEENTH CENTURY.

BY
FRANCIS HARE NAYLOR, Esq.

IN TWO VOLUMES.

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P R E F A C E.

I NEVER was a friend to dedications, for I never was a friend to flattery. Nor am I an admirer of long and elaborate prefaces, because I consider the reader's judgment to be the best comment that any literary production can receive. Yet in my own case, I feel myself called upon for some explanation, and as briefly as possible I will give it.

The greater part of this publication was ready for the press, before I was apprized of Mr. Planta's intention of treating the same subject. Nor is this extraordinary, since it was written during my residence in Italy. But no sooner did I see his **HELVETIC CON-**

A 2

FEDERACY

FEDERACY advertised, than I laid down my pen, determined to wait for the appearance of that work, before I finally decided upon the destiny of my own. Finding, however, that Mr. Planta's view of things differed materially from mine, and that we frequently considered the same object in an opposite light, I saw no reason to abandon my plan. How far I may have acted with prudence, it remains with the public to determine.

A word or two more may possibly be expected, with regard to the conduct of the present work. In confining myself to the period which I have chosen, I have undoubtedly selected the most brilliant era of Helvetic history. For from the commencement of the Zurich war, the character of the Swiss underwent a material change. The confederacy was augmented in point of numbers, but its strength was evidently impaired.

Much,

Much, I allow, remains to be said. The Burgundian and Italian wars, the progress of the reformation, the triumph of truth, and the decay of patriotism, afford an ample field for the historian, even should he decline to enter upon that awful period, when the Alpine vallies ceased—perhaps for ever—to be the abode of freedom and of happiness.

With respect to my future intentions, the public may possibly look for some information; but as yet, I am unable to give it. By their decision I shall regulate my own. Thus much, however, I will venture to add—that should I discontinue my pursuit, it will not be from want of materials.

A long residence upon the continent, afforded me an opportunity of following the revolutions both of Switzerland and Italy, through all their maze of horrors.—Papers too, of the utmost importance, are probably within

within my reach.—Yet I scarce know how to trust my feelings; nor do I think the present moment the most proper to treat so delicate a subject. I should wish to be thought impartial. But in whatever I undertake, I am resolved to be just.

London, March 2, 1801.

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HISTORY

HISTORY

OF THE

HELVETIC REPUBLICS.

CHAPTER. I.

View of Helvetia before the Time of Cæsar—That Country subdued by the Romans—Burgundians—Alamanni.

FABULOUS and inconsistent as the accounts in general prove, which cloud with uncertainty the origin of almost every people; it is still an object of curious enquiry, to follow up, so far as possible, their story to it's very source, and to trace, in the gloomy pages of antiquity, the early dawnings of those distinctive qualities, which constitute what we term their national character. In this point of view the annals of Helvetia merit peculiar attention. In the stubborn resistance, which it's early inhabitants opposed to the overweening ambition of Rome, we may discover the same en-

thusiasm for liberty, the same detestation of arbitrary power, and the same patriotic attachment for their country, which at a later period burst forth, with such glorious energy, in successful resistance to the despotism of Austria ; and gave rise to that happy system of government, the wanton destruction of which forms one of the blackest features in the monstrous catalogue of modern crimes.

Our geographical information, respecting the boundaries of ancient Helvetia, we derive from Cæsar, with greater accuracy, than from any other writer, though his testimony is confirmed by the concurring voice of antiquity. To the south, it was divided from Italy by the immense chain of the Alps, whose rugged summits for a long time opposed an insuperable barrier to the ambition of Rome, and drew as it were a line of demarcation between the civilised and uncivilised world. The Hircanian forest stretched it's impenetrable desarts to the north. Westward ran the Rhone. While the eastern frontier was bounded partly by the Rhine, and partly by a ridge of mountains diverging from their native Alps. Before the time of Cæsar, the Helvetians had scarce any intercourse with their more enlightened neighbours to the south. We in consequence know but little of their story. They are however uniformly represented

as living in the closest union with the Gauls ; with whom they are sometimes confounded. What share they had in the celebrated expedition undertaken by that people, under the command of Brennus, is at best uncertain. Nor is the research worth much inquiry, as notwithstanding it's unfortunate termination, the result produced no material change in the political situation of Helvetia. Nor do we find that they were sufficiently weakened by their losses to leave to the haughty republicans any reasonable hope of revenging the humiliation, which they had endured by a successful invasion of Switzerland. For we are too well acquainted with the principles of Roman policy, to suspect that humanity, or moderation, ever found their way into the senate.

Helvetia, at the time of Cæsar, was divided into several districts.* Each of which, as was usual amongst most of the northern nations, formed a kind of separate republic. The whole being united in a general confederacy, and forming a government not very different from what has prevailed in the same country from the days of William Tell, till it's late unhappy change. The municipal administration of each separate province was vested in it's respective magistrates. But public affairs

* Cæsar. B. G. lib. i.

were debated in a general assembly, at which, as at a Polish diet, the representatives appeared in arms.

All political consequence, among the ancient Helvetii, belonged exclusively to two classes*—the nobility and the druids. For the existence of the common people was scarcely better than that of the peasantry in modern Russia. Under the triple character of magistrates, philosophers, and priests, the druids possessed the most unlimited authority. Their power was derived from the credulity of the vulgar; a fertile source when cultivated by the hand of artifice and hypocrisy. Among this rude people, we may trace the same springs of conduct, which raised, at a later period, the papal crown to so dangerous a pre-eminence, and formed the master-keys of Roman policy. Mysteries and interdicts were equally familiar to both. By the first, they imposed upon the easy faith of the superstitious. By the second, they silenced the inquiries of the more enlightened. Whoever refused to recognize their supremacy was excluded from the communion of the faithful, and deprived, in a moment, of all the rights of citizenship. Their resentment was implacable. Their vengeance was atrocious.

* Cæsar, lib. vi. cap. xiii.

On the other hand, the whole military power was vested in the nobility ; who according to the rude manners of the age, looked upon every other occupation as a degradation to exalted rank. The Helvetii are uniformly painted as a brave and generous people, delighting in war ; despising commerce, with which they were unacquainted ; and regarding agriculture as the employment of slaves. Accustomed, from their cradles, to a life of hardships, and privations, no fatigues appeared great, no enterprizes hazardous, when glory was the reward of success. Even the women contemplated the most perilous undertakings with an eye of indifference ; and have been frequently known to rush on death with all the calmness and intrepidity of stoicism, rather than survive the ignominy of a defeat. A spirit like this could never rest contented in the inactivity of peace. When unoccupied in foreign wars, it vented itself in domestic tumults and civil dissensions.

The ambitious projects of Orgetorix, as described by the masterly pen of Cæsar, exhibit a striking picture of the turbulence of that barbarous age ; and shew the inefficacy of undisciplined courage when opposed to military skill. Orgetorix was distinguished among his countrymen, by the number of his dependants, the extent of his possessions, and the nobility of his birth. Though indisput-

ably the first citizen in a free state, his daring soul aspired to a more permanent dominion, than any which personal merit, or popular favor can confer. To enslave his country a military force was requisite. Could he but once obtain the chief command of the Helvetic armies, the scheme seemed practicable. In case of a war, there was none to dispute this honor with him. He was acquainted with the temper of the nation, and resolved to work upon it. Nor was it a difficult task to persuade an unquiet and enterprising people to consider the narrow limits of Helvetia as too confined for their aspiring courage. The dreams of ambition are boundless; nor is the electric stroke more rapid, than the effect of eloquence upon a popular assembly. Besides, the project of conquest was too congenial to the feelings of his audience not to be received with transport, and embraced with ardor. It was unanimously resolved by the applauding crowd, to abandon the sterility of their native rocks, and to procure for themselves, by force of arms, an establishment in the fertile plains of Gaul. Orgetorix was hailed the leader, and became the idol of his country. By his advice the two succeeding years were to be employed in preparations for this important enterprize. The third was fixed upon for its execution. The general, elated with this temporary success, now looked upon his triumph as undoubted, and began to conduct his measures

measures with less precaution, than he had hitherto thought it prudent to use. He entered into a secret correspondence with Dumnorix, and Casticus, two leaders of eminence among the Gauls, and persuaded them to seize upon the government of their respective provinces, hoping thereby to secure a powerful foreign aid, in case of any reverse of fortune. A plan, directed with such manifest imprudence, could not long remain concealed. Orgetorix was watched. His intentions were discovered. A public trial took place. Flattering himself still to impose upon the assembly by a display of power, he appeared at the head of a numerous retinue. But his popularity was gone, and his designs were too notorious to admit of palliation. The process was short; and sentence of death was pronounced upon him, by the unanimous voice of his judges. But before the day of his execution he was found dead in his prison, every concomitant circumstance exciting the strongest suspicion that he had fallen by his own hands.

The death of their leader was however by no means sufficient to allay the ferment which his rashness had raised. On the contrary the apprehension of being exposed to the resentment of an implacable foe, in case of delay (for this projected invasion was no longer secret), was considered as a reason to accelerate their migration. Persuaded

too that the army would advance with more determined courage, if deprived of every hope of a prosperous return, they adopted the frantic expedient of setting fire to their towns and villages. Every implement of husbandry was destroyed, together with all the corn which they were unable to carry with them, by way of supply during their march. Several of the barbarous tribes, who inhabited the surrounding mountains, were prevailed upon to embrace the same scheme of desperation, and to embark in the common cause. So that Helvetia now exhibited the frightful picture of universal desolation. Not a habitation was left standing. Not a field bore the vestige of culture.

B. C. 56.—Cæsar no sooner received intelligence of their designs, than he hastened, with his wonted activity, to Geneva, where he immediately assembled whatever troops he could draw from the neighbouring garrisons, but which amounted to little more than a single legion. Unable with so small a force to oppose the numerous hosts, which were rushing forward with all the ardor of anticipated victory, he prudently resolved to temporize. So that, when the ambassadors of the Helvetii waited upon him to demand a passage through the Roman provinces, he received them with ambiguous courtesy, requesting some days
to

to consider the proposal. Every moment was of importance to Cæsar, as it enabled him to receive reinforcements from Italy; while the smallest delay could not but prove fatal to an army, which was unacquainted with military tactics, and ignorant of all those necessary precautions, which are the result of civilised acquirements. Having fortified the most important passes, and broken down all the bridges over the Rhone, the Roman general had no longer any cause to dissemble. Confident in the valor of his veteran bands, and in the inexhaustible resources of his own mind, his behavior to the Helvetic delegates, when they returned, on the appointed day to learn his final decision, was dignified and resolute. His refusal firm, and unqualified.

The leaders of the Helvetii could not but be struck with this sudden change in the language and behavior of Cæsar. But they had gone too far to retreat; they were sensible of the error they had already committed, and resolved to force a passage without further delay. They marched undaunted to the banks, but every ford was guarded. All efforts were fruitless. Nothing remained except to attempt a different route. But whichever way they directed their steps, they found the inhabitants hostile to their views, for the tumultuous conduct of so undisciplined a band
was

was little calculated to acquire friends. Their resources were now exhausted, so that necessity forced them to the most rigorous exactions. Strangers to every institution which civilised society has adopted for the protection of neutral powers, whoever hesitated to declare in their favor was treated as an enemy. A system so impolitic was as favorable to the Romans, as it was prejudicial to themselves. Thousands flocked daily to the standard of Cæsar, to court his friendship, or to implore his protection.

Being at length reinforced by five legions from Italy, and joined by swarms of auxiliary barbarians, the immortal Julius no longer confined himself to defensive measures, but hovering over the enemy, during a long and difficult march, he harried them by continual attacks. Till at length having drawn them into a position, where superiority of numbers could avail but little, he fell upon them with that determined courage which nothing could resist. A desperate conflict ensued, in which undisciplined valor was finally constrained to yield to the superior genius of Rome. The carnage was dreadful; but the victory was no sooner decided in his favor, than Cæsar treated the vanquished with that noble clemency, which forms so amiable a feature in the character of that wonderful man. Having obliged them to give
hostages

hostages to ensure their obedience, the only condition he imposed was, that they should immediately return to their native vallies, and rebuild the towns which they had so rashly destroyed. The loss of the Helvetii, in this fatal expedition, is estimated by the conqueror at 257,000. Their original numbers consisted of 367,000: of which only 110,000 returned.

This was indeed a fatal blow to the power of Helvetia. Their own imprudence had deprived them of every resource. In obedience however to the victor's command, they set about repairing their losses with diligence and activity; and Zurich, Soleure, Lausanne, Yverdon, Meudon, Iverdun, Avenche, and Zug, arose from the ruins of their former towns.

The tranquil possession of Helvetia appeared necessary to Cæsar for the success of his Gallic expedition—an enterprize he had long meditated in secret as the source of his future greatness. The Helvetii were, in consequence, admitted to the honor of an alliance with the mistress of the world; and so prevalent was henceforth the influence of the Romans in all their domestic transactions, that Helvetia can scarcely be considered in any other light, than that of a dependant province; and Augustus formally declared it to be such.

It

It can scarcely be necessary to observe, that in the division made by that specious tyrant, Gaul was among the provinces which were particularly placed under the imperial jurisdiction, and governed by the delegated authority of a proconsul. Augustus, at first, permitted the subjugated Swiss to assemble at stated periods, and to prefer their complaints against the collectors of the public revenue, in case of any unjust or oppressive exactions.* These privileges were, however, too repugnant to the interested views of individuals to be of long duration. After having been gradually circumscribed by successive emperors, they were finally abolished by an edict of Dioclesian.

It was a part of Roman policy to secure the obedience of the conquered provinces by establishing colonies, whose attachment was captivated by a variety of immunities, and exemptions, which distinguished them from the native inhabitants. For these crafty politicians were too well acquainted with the human heart, to suppose that any ties are valid, in political transactions, but those of interest. Cæsar had established an equestrian colony at Nion, upon the lake of Geneva. Some time after his death, the capital of the Rauraci being rebuilt, received, in honor of Augustus, the name of *Augusta*

* Proc. lib. xii. de off. præ.

Rauracorum.* The prudent system of government adopted under his administration, and by which this artful emperor flattered himself to efface the crimes, and cruelties of the triumvir, afforded no unfavourable prospect to the subjugated world. The atrocities which contaminate the memory of his immediate successors, were in great measure confined to Rome. The imperial purple, except in the single instance of Claudius, was dispensed, with undisputed power, as the capricious fancy of the reigning despot willed; till the frantic fury of Nero at length wearied out the patience of his corrupted slaves, and transferred the diadem from the odious race, which had so long disgraced it. Italy, from the death of Augustus to the elevation of Galba, had been the bloody theatre on which despotism had sported with the forbearance of mankind. But the remoter provinces had experienced a less wretched fate; and had in some degree recovered their former losses. Helvetia had profited by this interval of repose, but the period of her tranquillity was short. A hasty and improvident declaration, in favor of Galba, drew down the resentment of Cæcina, the lieutenant of Vitellius;† who was eager to seize the opportunity of treating a rebellious province with that savage inhumanity, which was conge-

* Florus.

† Tacit. Hist. c. i.

nial to his own rapacious nature, and to the ferocious temper of his master. Under the mild government of Vespasian, Helvetia was distinguished by the most flattering marks of royal favor ; as this virtuous emperor ever manifested an honorable predilection for the country, where by successful commerce the Flavian family* had emerged from obscurity.

During a period of eighty-four years, from the accession of Nerva to the death of Marcus Aurelius, mankind enjoyed a degree of felicity, under the equitable administration of five subsequent princes, which must have naturally led them to entertain the strongest prepossession in favor of adoptive successions. When the latter too, imprudently suffered the feelings of the father to overcome the duties of the sovereign, and the empire once more reverted to an hereditary course, the event was by no means calculated to obliterate the former impression. From the weak indulgence shewn by Commodus to the Prætorian cohorts, arose that licentious spirit which rendered them, in the sequel, the sole dispensers of sovereign power. From this time, virtue was no longer tolerated upon the throne of the Cæsars ; and if, amid the violence of civil commotions, it obtained a partial triumph

* Suetonius.

from the successful struggles of the legionary troops, or the inconsequent fury of an inconstant mob, the Prætorian guards no sooner regained a momentary superiority, than it became the signal of instant death.

A spectacle like this was calculated to obliterate that small remnant of respect and affection, which still connected the colonies with the parent state. While internal distress obliged the republic to recall her troops, and to leave the distant provinces to contend unaided against the tremendous storm, which was now bursting from the north.

Under the Roman government, the rude manners of Helvetia had lost much of their native ferocity. The arts and elegancies of polished life had every where accompanied the progress of the victorious legions. Their divinities too had found their way into the temples of the vanquished, and divided the homage of the suppliant with the indigenous deities of the land. But while imitation, and observation had thus gradually refined the coarseness of their original character, and almost amalgamated their habits with those of luxurious Rome, the vigor and energy of their minds proportionably suffered. Their pursuits had for some time been directed into a different channel. The love of riches had succeeded to the love of fame.

And

And as the commercial spirit extended, the military spirit decreased.

In such a state of things, it could hardly be expected that this degenerate people should oppose any formidable resistance to those swarms of barbarians, before whom the imperial eagle bowed its degraded head. With the destructive violence of a torrent, the frozen regions of the north poured forth their barbarous hordes in every direction, where a less rigid climate, or the improvements of civilisation, offered a fairer prospect of comfort than their native snows could afford. Besides, such had been the treatment of Rome towards her dependant provinces, that it could not be expected that they should risk much in her defence. Little had they to apprehend from a change of masters—indeed, were it possible that the doctrines of experience should ever be of advantage for the regulation of human conduct in political affairs, the conduct of Rome would exhibit an awful lesson to posterity, and teach them, that though the splendor of military achievements may extend the fame and dominion of the conquerors, still no power is permanent but what springs from the affections of the heart.

Scarce any task can be more ungrateful to an historian, or any study less entertaining to a reader,
than

than to wander through those scenes of barbarism, which mark the progress of the northern invaders, and accompany the fall of degenerate Rome. It is like travelling over a desert waste, where no object presents itself to the wearied eye, but here and there a lonely gibbet, or a solitary tomb. The one awakening the mind to the most poignant sense of human misery, the other recalling it to the melancholy recollection of our crimes. But dull as the occupation proves, it is still our duty to pursue it.

Among the swarms of barbarians, who ravaged the Roman empire after the death of Constantine, the dull chroniclers of the times speak, with a mixture of terror and admiration, of the gigantic stature, and savage ferocity of a people, whom they characterise by the appellation of Burgundians. Under the command of Gundicar, they laid waste the frontiers of Gaul and Helvetia, with indiscriminate fury. Unable to oppose them in the field, the weak emperors had recourse to that inglorious policy which disgraced the fall of Rome; and purchased a temporary cessation from hostilities, either by a tributary offering, or by a partition of territory with the invaders. Contenting themselves in the latter case, with the empty title of a nominal dominion over a people, who were at all times able to prescribe laws to their pretended masters.

Yet was there something so imposing, even in the fading shadow of declining greatness, that the proud souls of Attila, and Theodoric were flattered with the prostituted dignity of *Patrician*, and added it, with inconsiderate vanity, to their other honors.

Even when, by the successful efforts of some extraordinary man, the fate of Rome was suspended, for a moment, no other hope presented itself to that feeble government of permanent tranquillity, except in an alliance with the vanquished. Thus we see Ætius terminating a brilliant expedition against the Burgundians* by allowing them to settle in the western parts of Switzerland,—in the country between the Jura, the Reufs, and the Rhone.† By a similar treaty, the Alamanni established themselves in Helvetia, during the reign of Gratian. But no sooner had these ferocious tribes obtained a footing in any of the Roman provinces, than their numbers were continually augmenting by fresh inundations from the inclement north. So that whatever might have been the conditions of the original treaty, they soon found themselves in a situation to interpret them, as a spirit dictated, unconscious of control. Thus in a few years after their arrival, the

* Guillian, de rebus Helveticis.

† Muller.

Alamanni

Alamanni appear to have been undisputed masters of the whole territory between the Reufs and the Rhine.

The Burgundian empire extended too with an alarming rapidity. Not long after their establishment in the western districts of Helvetia, Savoy, Dauphiny, and Provence submitted to their yoke. The natives indeed do not seem to have suffered much by the change. The small portion of liberty, which was allowed them by the Roman præfects, could not easily be abridged.

In civilised society the human character is distinguished by the nicest gradations, and most delicate shades—the nature and form of government—their religious institutions—their commercial establishments—perhaps too their topographical position with respect to climate—are continually operating with such complicated and uncalculable influence upon the moral feelings of men, that almost every European nation has it's peculiar and appropriate features in an intellectual, no less than in a physical sense. The Briton, the Frenchman, and the Spaniard, differ not more essentially in the tint of their complexion, than in the bent of their dispositions, and the scale of their mental powers. The solid sense, and steady prudence of the first, which proceed upon the sure grounds of calculation

tion and experience, contrast so strongly with the giddy vanity of the second, to which nothing seems impossible, and which frequently embraces a theory for no other reason, than because it had never been tried, that a stranger to mankind would scarcely suppose these neighbouring people to be inhabitants of the same zone. But the dissimilitude is still more striking when we pass the Pyrenean mountains. Every vestige of improvement instantly disappears, and we seem to have gone back to those dark ages of ignorance and superstition, when pedantry was mistaken for learning, and bigotry for religion.

In savage nations there is little variety of character. Their virtues and vices are marked by such strong family features, that in describing the manners of one barbarous tribe the historian inevitably paints them all. And from the moment that the intelligent reader is apprized, whether their leading occupation consists in hunting, or in the more tranquil cares of a pastoral life, he requires no further information. The outline is instantly filled up, and the portrait finished.

Little therefore remains to be said of the northern invaders, under whatever denomination comprized. Goths, Franks, Burgundians, Alamanni, Vandals, or Huns, differ scarcely in any thing but in

in name. Their progress was accompanied with the same scenes of desolation. All traces of genius, and improvement were equally swept away in their march. Gundicar, the Burgundian leader, perished in a battle against Attila, near Bâle. His premature death exposed the greater part of his dominions to the destructive fury of the conqueror. Attila, in his turn, was defeated

by the Romans, under the command of 451. Ætius, in the plains of Chaalons. When

the Burgundians, taking advantage of the weakness of their oppressors, again recovered their independance, and chose for their sovereign Gundewick, a descendant of the renowned Atanikar. After his decease, his four sons disputed the throne with that inveterate animosity, which is rarely met with, except in family quarrels. Gundibald, the elder, at length prevailed, and got possession of his paternal dominions, to the exclusion of the other three.

Hitherto the Roman code had prevailed in all the provinces, which were successively torn away from the declining empire. Till by degrees, these unpolished chiefs ventured to deviate from that system, which had so long been held up to the veneration of mankind, as the model of perfection in the intricate science of jurisprudence. Their own ordinances begun now to be substituted in

the place of the imperial rescripts, and to acquire the consistency and form of laws, upon receiving the sanction of the assembled states. Thus little by little a new scene opens to our view. The proud and majestic fabric of Justinian disappears, and in its place we behold that motley patch-work of Gothic invention, distinguished by the name of **FEUDAL SYSTEM.**

During the reign of Gundibald, that part of Helvetia, which was subject to the Alamanni, was destined once more to change its master. The victory of *Clovis*, (or *Louis*, for the word is radically the same) at Tolbiac, was subversive of the Alamannic empire; and their dominions were henceforth incorporated in that division of the Gallic empire, which was distinguished by the appellation of *Austrasia*.

The chroniclers of the times, who are fond of ascribing every incident to the miraculous interposition of Providence, assure us, that in the heat of the combat, while the event of the day still hung in doubtful suspense, Clovis, acted upon by a resistless impulse,* lifted up his hands to heaven, covenanting, in the most solemn manner, to embrace the religion of Christ, provided fortune

* Gregory of Tours.

should

should declare in his favor. The votive promise was scarcely made when the troops experienced a return of vigor which could only be attributed to some supernatural cause; and rushing upon the foe, with more than mortal courage, they bore down all before them. Till the Alamanni, equally wrought upon by the influence of heaven, threw down their arms, exclaiming with one common accord, "*King of the Franks, spare thine own people, for henceforth we are thy subjects.*"

Convinced from his own experience of what this warlike people was capable, Clovis had recourse to the most rigorous measures, in order, if possible, to subdue their spirit, and to obliterate every vestige of their former government. With this intent, he divided the lands into fiefs, and conferred them as rewards upon the most celebrated of his followers. While he obliged many, whose talents or influence were objects of jealousy, to abandon their native country. Thus finished the power of the Alamanni, after having existed for near two centuries, to the terror and dismay of the surrounding nations,

While the Burgundians occupied the western, and the Alamanni the northern provinces of Helvetia, the southern parts were over-run by the Ostrogoths, another tribe of the barbarians, though

of manners less savage than those we have hitherto had occasion to describe. The Ostrogoths were a people of shepherds : and it is supposed that a pastoral life, in some degree, humanizes the character of men, even in the rudest habits of society ; while hunting, which is little better than a continual state of warfare, increases the natural ferocity of their dispositions.

No sooner had any of these uncivilised hordes obtained a settlement in the heart of the Roman provinces, than they began to compare the revolting system of polytheism, which they had hitherto followed, with the sublime precepts of the gospel, though disguised and disfigured as it then was by the zeal and ignorance of contending sectaries, the result was still favorable to the cause of truth. They were struck with the difference, and forsaking the gods of their fathers, they embraced the religion of the vanquished. Perhaps the very errors which had crept into the Christian doctrines conduced to propagate them. Christianity, under its purest form, might have operated less forcibly upon the minds of men who were sensible only to external objects, and on whom abstract theories would have made but little impression. But scarcely had they laid aside the monstrous absurdities of Paganism, and put an end to the calamities of war, than they embarked in hostilities of a
different

different species, though almost equally fatal to the repose of mankind. Polemical disputes succeeded to the cuirass and the spear ; and were conducted with all the virulence which personal animosity, or interested pride could inspire, while their zeal, as is usually the case, increased in direct proportion to their ignorance of the subject about which they contended. Thus were these haughty warriors degraded, by monkish cunning, from the arbiters of Europe, into the tools of party, enlisting under the banners of Arius, or Athanasius, accordingly as the caprice or interest of an insinuating confessor might induce them to favor the fashionable innovator of the day.

It was before observed that Gundibald, after the destruction of his three brothers, united the whole of the Burgundian succession in his own person. The melancholy destiny of these princes exhibits a memorable picture of the inconstancy of fortune, and of the ferocity of the age. Too weak any longer to resist his victorious brother in the field, Godimar retreated to Vienne, in Dauphiny, where he shut himself up in a fortress, which was then considered to be impregnable. Gundibald pursued him closely, and finding it impossible to succeed by an assault he set fire to the castle. The wretched Godimar, with his whole family, perished in

in the flames, while his relentless rival remained a tranquil spectator of the sad catastrophe,

The fate of Chilperic was scarcely less disastrous; being taken with his two sons, they were beheaded by command of the victor. His two daughters however escaped from the general proscription. Sedelaide the elder, fled for refuge to a convent at Geneva, where she afterwards took the veil; while her sister Clotilda was demanded in marriage by Clovis. Gundibald was too good a politician not to penetrate his rival's intentions. He was aware that the warlike Frank would no sooner become master of Clotilda's person, than he would lay claim to her patrimonial domain, and would back his pretensions by such forcible arguments, that all resistance must be at best precarious. Besides the alliance was too advantageous to be rejected without some plausible excuse. The religion of the Franks, however, appeared to be an insuperable obstacle. No plea was therefore omitted to convince the princess that her salvation was impossible, if she became the wife of an idolater. In an age of credulity the menace was alarming; and Gundibald now flattered himself that the refusal would come from the princess. But the ambassador of Clovis having, in the mean time, gained access to Clotilda, he combated her prejudices by considerations

derations of equal weight. He represented to her the pomp and splendor of his master's court. He magnified the power of her charms, and painted to her, in the warmest colors, the glory she would acquire by employing them, as an instrument in the hand of Providence, for the conversion of Clovis. But above all, he urged her duty to a murdered parent, which enjoined her to marry a prince, whose formidable power would afford her ample means to avenge his wrongs, and her own. The result of this conversation was such as might be expected; for what female heart can resist the united influence of vanity and revenge?

Gundibald was no sooner informed that his niece had accepted the ring of affiance, than awed by the reputation of the potent Frank, he no longer opposed her departure; and Clotilda set out, with all the magnificence of a royal bride, in a waggon drawn by four oxen. Upon her arrival at the frontiers, she seized the opportunity of indulging one of those passions which had so strongly contributed to decide her choice.* And having prevailed upon her attendants to lay waste the Burgundian territory for the space of twelve miles, she devoutly returned thanks to heaven for having gratified her wishes, in one instance at least. For

* Muller's History of Switzerland.

Clotilda was a princess of exemplary piety, and is much celebrated, upon that account, by the monkish writers. Clovis being now in possession of his bride, resolved upon recovering the provinces, to which she had a legitimate claim, as the only representative of her father. Being joined by Godegisilus, the younger brother of Gundibald, he marched against the usurper at the head of a numerous army. The event was favourable to A. D. the cause of justice. Gundibald was defeated near Dijon, and obliged to purchase peace by acknowledging himself the vassal of Clovis, and by reinstating Godegisilus in his hereditary domain. Forced reconciliations are seldom permanent. The Franks were occupied in other conquests, and had little leisure to interfere any further in the concerns of Burgundy. Gundibald, indignant at his late humiliation, was attentive to their motions, and thought the moment favorable for his views. Assembling a body of troops in haste, he marched against his defenceless, and unsuspecting brother; obliged him to take refuge in the citadel of Vienne, and having gained admission into the town by the treachery of a principal officer in the garrison, he caused Godegisilus to be put to death.

Gundibald was now sole possessor of the whole Burgundian empire; and such were the strength
and

and reputation, which he had acquired by successful villainy, and which were still further increased by a close alliance with Alaric, that Clovis deemed it prudent to suppress his resentment, and to leave him in the tranquil enjoyment of all his usurpations.

From this time, Gundibald figured among the greatest potentates of his age, and carried his victorious arms into the plains of Lombardy. Notwithstanding the cruelty of his disposition, he merited the fame he had acquired by many great and splendid qualities. Nothing was omitted that could tend to consolidate his power, or to render his people flourishing. The former he effected by an union with Theodoric, King of Italy, one of the most powerful monarchs in Europe. The latter, by the wisdom of his internal regulations. With the advice of several learned men, whom he had allured to his court by the liberality of his rewards, he formed a new code of laws for the more equal administration of justice. Nor was he himself deficient in literary acquirements; but could dispute upon the sacred writings with a degree of intelligence, which was wonderful in a barbarian, a talent he was perhaps too fond of displaying for a sovereign. Syagrius, a distinguished scholar, for the age in which he lived, was employed by him in reducing the rude dialect of the Burgundians to the rules

rules of grammar.* At the same time, some imperfect ideas of astronomical calculation were introduced into the division of time. The superiority of the Romans in every scientific pursuit did not escape the penetration of the king; and he resolved, in consequence, to meliorate their condition, by abolishing those invidious distinctions, which the blind partiality of his predecessor had established between the different classes of his subjects; and henceforth to put them upon an equal footing. This project was too repugnant to the prejudices of the Burgundians, not to be unpopular. A general opposition took place. Nay, to such a pitch did this spirit of discontent prevail, that in spite of the natural energy of his character, Gundibald was constrained to yield, and was never able to execute his benevolent intentions in their full extent.

The last act of his reign was to secure the succession to his son. For this purpose, he summoned a general assembly of the states, in the neighbourhood of Geneva; when Sigisfund, being elevated upon a shield, was hailed their future king, by the shouts and acclamations of applauding multitudes. Gundibald did not long survive this ceremony;

* Caffiod.

but

having out-lived Clovis, and most of the contemporary heroes, he died in a very advanced age. Of him it may be said, as of Augustus, that his conduct upon the throne, in some degree effaced the recollection of the crimes by which he had obtained it.

Sigismund commenced his reign in a manner, which gave no flattering promise of the sequel. He dispatched ambassadors to Constantinople, to inform the emperor Anastasius of his accession, and in the submissive language of vassalage, to acknowledge his dependance upon the throne of the east. A conduct so different from his father's, was little calculated to satisfy a people who had imbibed high notions of honor from the spirit of Gundibald; nor did his subsequent administration prove of a nature to eradicate this early prejudice. Sigismund possessed a weak understanding, and its frequent concomitant, a jealous temper—a disposition perhaps the most fatal of any, both to themselves and their subjects, in those who are called by Providence to the government of mankind. Ostrogotha, the daughter of Theodoric, whom he had married during his father's life, died, leaving two children, a son and a daughter. The king, soon after, wedded a person of ignoble extraction, who had been an attendant upon his former queen, and who is represented as exercising that unbounded influence,

influence, which beauty gives, to an artful and designing woman, over the weak mind of a doating husband. No sooner had she a son of her own, than she began to view the rising virtues of Sigeric with the jealous eye of a step-mother, and omitted no opportunity of representing his actions in a suspicious light: The prince, on his part, treated her with contemptuous neglect, so that the breach became daily wider. Having, one day, seen her decorated in the magnificent attire of his deceased mother, he could not refrain from some severe remarks upon the aukward affectation of upstart pride in borrowed finery. The queen was apprized of what had past, and from that moment devoted herself to his destruction. Her tale was plausible, and the heart of Sigismund, who was entirely a slave to the caprices of this deceitful woman, and who now beheld every object through the false medium of prejudice, was by degrees estranged from his son. Suspicion usurped the place of affection in his unsteady mind. He no longer beheld the great and noble qualities of Sigeric with the proud satisfaction of an exulting parent, but with the timid jealousy of a mistrustful tyrant. Till at length persuaded that the prince was actually engaged in a conspiracy against his life, he was prevailed upon, in a momentary passion, to sign the warrant for his execution. Sigeric was strangled in his sleep: the order was scarcely issued, when

when roused by the horrors of an upbraiding conscience, he felt all the atrocity of the deed. In vain he wished to recall it. The queen, who knew the weakness of his character, had taken advantage of his fears. Sigismund now gave way to his remorse : he shut himself up in the monastery of St. Mauritius, there in the humble garb of a penitent to indulge his grief; and by austere penance and rigid devotion, to expiate his guilt. Vainly hoping to atone for his want of humanity towards his son, by want of attention towards his other duties.

Theodoric was indignant at the outrage, which had been offered to his family, and resolved to take signal vengeance upon the guilty. Tolonick, a renowned warrior, was immediately dispatched at the head of a formidable army, to invade the Burgundian territory. Clotilda too, on her part, was eager to seize an opportunity of revenging her father's wrongs upon the heir of Gundibald. Nor did she experience any difficulty in engaging her three sons in an enterprize, the object of which was so congenial to the generous feelings of uncorrupted youth. A league was, in consequence, formed between Theodoric, and the sons of Clotilda—Clodomir, Clotaire, and Childebert—the avowed object of which was the destruction of the Burgundian monarchy.

Sigismund was not formed by nature to struggle against adversity. He was capable of the most atrocious actions, but totally destitute of that energy of character which too frequently gives a deceitful lustre to guilt. Concealed in the habit of a monk, he lay prostrate at the foot of the altar, pouring forth lamentations and sighs, and calling upon the saints for succor, when he should have been actively employed in stimulating his subjects to an animated resistance against a foreign invader. But it was the destiny of Sigismund to be every way contemptible. His crimes were those of timidity. His repentance was that of baseness. The enemy advanced without opposition. Abandoned by all, the miserable king was discovered in his mean disguise, was dragged from his sanctuary, and
529. carried prisoner, with his wife and children, to Orleans; where by command of the confederate princes, they were all thrown together into a well.

Upon the death of Sigismund, his brother Godimar mounted the throne; and for some time opposed a vigorous resistance to the progress of the conquerors.* But at length being defeated in a decisive battle, he fell into the hands of the enemy. Upon this, finding themselves without any further

* Procop. Cassiod.

resources, the Burgundians submitted to the Franks, though with the express condition 534. of being governed by their own laws. A privilege they actually enjoyed till the reign of Lewis the *debonaire*.

CHAP. II.

Charlemagne—Sketch of Manners during the seventh, eighth, and ninth Centuries—Salic and Ripuarian Codes.

THERE is no period in history less interesting, or less instructive, than that of the Franks under the successors of Clovis. It exhibits the human character under its most degrading form—the victim of luxury ; the slave of superstition. On one hand we behold the throne sullied by every vice, which is the concomitant of a weak, and contracted mind. If on the other, we examine the condition of the people, it presents the most disgusting picture of ignorance, bigotry, and oppression. But there is a term beyond which the affairs of this world are never suffered to proceed. And such is the wisdom of an all-seeing Providence, that when our condition seems completely hopeless, a remedy arises out of the very evil itself. It was thus in the instance before us. The depravity of the reigning dynasty, after having long excited the scorn and indignation of mankind, proved ultimately the cause of transferring the
sceptre

sceptre from the hands of imbecility, to those which were formed by nature to support it with honor to themselves, and with advantage to the world.

Little indeed is known of this dark period, nor is that little calculated to excite much regret, on account of the almost total want of historical documents, during the sixth, and seventh centuries.

We know, indeed, that Burgundian Helvetia was distinguished by the appellation of *Little Burgundy*, or *Burgundia Frانسjurana*; and that it was governed by dukes: but we are not only entire strangers to the characters of these princes, but are frequently ignorant even of their names.

Dagobert, the successor of Clotaire, reduced the laws of the Franks and Alamanni to a more regular system. Under his descendants the crown was gradually stripped of all its prerogatives. Immersed in the voluptuous solitude of a palace, the reigning despot was invisible to the public eye. Nay his very existence might have remained a perfect problem, had he not sometimes roused from this lethargic effeminacy, to attract the attention of an indignant nation by the enormity of his crimes. In the mean time, every branch of au-

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thority,

thority, both civil and military, was left entirely at the disposal of ministers, so well known in history by the title of *Maires du Palais*.

The people, accustomed to direct their homage* to the ostensible dispensers of every favor, began either to forget that in the scale of power, there existed a still higher gradation, or considered that they alone deserved a crown who were capable of fulfilling the duties of royalty. Such was the origin of the Carlovingian race.

Coeval with the decline of the royal prerogative is the rise of the great feudal nobility, who took advantage of the weakness of a distracted government to render themselves independent in their respective fiefs. And from this æra we may trace the origin of many of the most considerable families, which will hereafter figure in the annals of Switzerland.

* The worship of images may be accounted for in nearly the same manner, by supposing them to have, been originally intended only as the symbols of divine power. The ignorance of mankind, by degrees, mistook the *type* for the *divinity*. By carrying the same train of ideas a little further, the whole system of polytheism becomes clear and simple. Minerva, Neptune, Mars, &c. were probably nothing more than attributes of the Supreme Being, (the *Zeus*) personified by the superstition of the vulgar, or the creative fancy of the poet.

Two

751. Two hundred and eighteen years after the destruction of the Burgundian empire, the descendants of Clovis were publicly deposed in a general assembly of the people, when the sceptre was transferred to Pepin, whose family had long governed the Franks, with the delegated authority of *Maires du Palais*. After a long and glorious reign, this successful usurper, (for such he in fact was, notwithstanding all the casuistry of Rome) transmitted the crown to his two sons, Charles and Carloman. The latter of whom did not long survive his father, but died in the flower of his youth; nor did his ambitious brother entirely escape the suspicion of having contributed to his death.* Yet whatever may have been the means, by which Charles was delivered from a troublesome competitor, they were soon obliterated from the public mind, by the wisdom of his institutions, and the brilliancy of his exploits. History indeed produces very few characters more worthy admiration than the son of Pepin, so well known by the honorable and appropriate appellation of CHARLEMAGNE.

Whether we contemplate the magnitude of his designs, the extent of his conquests, the variety of his establishments, or the sagacity of his measures—

* This report is treated by Schmidt as a mere calumny.

whether we consider him under the splendid character of a conqueror, or behold him providing for the future happiness of his subjects, by correcting abuses and instituting laws—we shall not, I think, hesitate to allot him a very distinguished place, among those extraordinary personages, which nature sometimes produces for the improvement, and civilisation of an unenlightened age; which appear like meteors in the gloom of night, and are like them phænomena, though in the moral world.

Charles has been blamed by many writers for having received the imperial crown from the hands of the Pope; which was certainly, in some degree, to acknowledge the supremacy of the papal power; and was made use of by the ambition of succeeding pontiffs, to establish a claim of supremacy, which was productive of the most fatal consequences. Eginhard, indeed, assures us that had Charles been previously acquainted with Leo's intentions, he would not, notwithstanding all his piety, have been present at the celebration of mass in St. Peter's church. Strong in the sentiment of his own superior greatness, it is possible he might have despised a vain and ostentatious ceremony, which was accompanied with no real advantage. But high as our opinion is of the perspicuity and penetration of his mind, we can hardly persuade ourselves, that in the plenitude of glory he could
so

so far dive into futurity as to foresee the possibility of a time, when the creature of his own raising (for in fact the Pope was little more), should arrogate to himself a paramount dominion over that power from whence his own was derived. And spite of Eginhard's authority, it is nearly as difficult to suppose he could have been a stranger to the scene which was preparing.

The celebrity of the conqueror's name drew congratulatory embassies from Persia, Mauritannia, and Bagdat. An event of this nature, in modern times, has nothing wonderful, since the most distant extremities of the earth are more nearly connected, in the present age of commerce and navigation, than the extremities of Germany were in the reign of Charlemagne.

It is a singular circumstance in the character of this great man, that his mind was equally formed for embracing the whole chain of European politics, upon their most extensive scale, and to enter into the minutest details of the most trifling occurrences. When occupied in reducing the Saxons, and the heroic Wittikind, his vigilant eye was still fixed upon the transactions of Rome; nor did his attention to the affairs of the church, even in the capital of the Christian world, ever render him negligent of the warlike north. Immediately after giving

giving audience to the ambassadors of Aaron Al Raschid, or of Irene, he would retire to his cabinet, and investigate, with the exactest attention, every circumstance of domestic economy. Nothing was too great for his comprehensive genius. Nothing was below his notice. It was an invariable rule of his life, personally to inspect every thing, which could possibly be brought under his personal inspection. The maxim is excellent, but is seldom practicable in the extensive concerns of a public scene. And when adopted by minds of an inferior cast, sometimes degenerates into a failing.*

Hitherto we have only examined the brilliant side of the portrait. We must not conceal the reverse. Forty years of war were a burden, too great for Charles's dominions, extensive as they were, to support. So that in some respects, perhaps, his administration was attended with more external splendor, than real and permanent advan-

* This remark was completely exemplified in the person of Joseph the second. Born with considerable talents, and a mind sensible to the charms of glory, he ruined his own reputation, and had he lived longer, might have ruined his country by over-governing. In commercial establishments he examined the movements of every separate wheel, instead of attending to the effect and operations of the whole machine. He was a better ferjeant than a general; and rather the secretary of a minister, than a minister himself.

tage.

+ The prototype is Peter the Great and Catherine the Great.

tage. But the most striking error of his reign consists in his behaviour towards the Saxons. At a more enlightened period it would have been without excuse. For to attempt the conversion of a whole nation by the sword, is an action no less repugnant to the dictates of common sense, than it is contradictory to the humane spirit of that religion which he sought to propagate. This plea, however, may be alleged in his defence, and it will apply equally to all his failings—that they were those of the age in which he lived, while his virtues were entirely his own. Among the colonies of vanquished Saxons, which he dispersed in various parts of the empire, some were distributed in the tranquil vallies of Helvetia, which are, even to this day, distinguishable from the original inhabitants by some faint traces of their native dialect, and their primeval customs.

The reign of Charlemagne is considered as forming an important epoch in modern history. The manners, laws, and religion of most of the European nations had undergone a material alteration, since the time of the Romans. Besides, by the wide progress of their arms, the different provinces of Europe began once more to be united by the chain of common dependancy, and a more regular system to prevail throughout the whole. It may not therefore be improper to take a rapid view

view of those parts at least, which are most intimately connected with the present narrative, and to examine the various changes, whether civil, ecclesiastical, or moral, which had accompanied the progress of the FEUDAL SYSTEM.

Under the Romans, the government was purely military. Military it still continued to be, under the successors of Clovis, though totally different in it's nature. The whole system of war had entirely changed ; and we should form a very erroneous idea of the armies, which fought under the Merovingian princes, were we to look for the exact discipline of the legionary troops, in the proud days of Roman glory. The art of defence was perhaps never less understood. The event of a battle was decided by the valor of the soldiers ; scarcely ever by the skill of the general. Indeed, were we more intimately acquainted with the boasted heroes of those dark ages, we should probably discover that *personal courage* was in general the source from which their reputation was derived. The brutal valor of *Ajax* we find in many. The refined policy of *Ulysses* in none.

Under the immediate predecessors of Charlemagne, military discipline had certainly made some steps towards improvement. It is true, that the ferocious ambition of the first princes of the Merovingian

vingian line had kept the sword continually unsheathed. But their quarrels were rather family feuds, than national contests. The public took little interest in them, but beheld, with the most perfect indifference, the rise or fall of the tyrant of the day. The bolder policy of the *Maires du Palais* opened a wider field for the contending parties. So that the violent animosities, which subsisted between the rival powers of Austrasia and Neustrasia, may in many respects be considered as civil wars. One part of the empire was in fact armed against the other. The spirit of faction ran high; and the pride and vanity of the individual became interested in the success of his leader.

The national character too was considerably changed. But if we expect to find any amendment we shall be cruelly deceived. The wants of society were perhaps increased. But their manners had certainly made but little progress towards refinement. Regretting the rude and boisterous pleasures of a savage life, which they had been forced from necessity to abandon, they were as yet incapable of tasting the elegant enjoyments of a more polished state. The very small portion of taste, which had found its way into the nation, was entirely confined to the higher classes. A greater disproportion had arisen in the distribution of wealth: but the situation of the rich was far

far from having meliorated, in a similar degree, while that of the poor was become incomparably more wretched.

The manners of a court may in general be taken as a pretty fair criterion of the national character—at least in point of refinement. Some degree of elegance may indeed be visible in the capital, though the people are but just emerging from a state of barbarism. But if a palace be disfigured with coarse licentiousness, and rude brutality, we may, without hesitation pronounce that the habits, which prevail among the lower orders, are savage and uncouth. In the conduct of the Merovingian princes, we trace a series of atrocities, scarcely to be equalled in the annals of the world. The country, over which they presided, was the seat of plunder, of rape, and of murder.

Panem et circenses was the popular cry of the degenerate Romans. The passion for war and hunting was equally violent among the Germans. Indeed, such was their attachment to every thing which contributed to their favorite amusements, that particular precautions were employed against perjury, in all judicial trials, where either hawks, or dogs were concerned. St. Bonifacius openly reproaches the clergy with neglect of duty, while occupied in the pleasures of the chase. In another ordinance,

ordinance, he forbids, under severe penalties, that either *dogs* or *hawks* should be kept for the diversion of the nuns.

Drunkenness was also a vice to which the age was peculiarly addicted. Charlemagne, who was by nature sober, and who had acquired, from his intercourse with foreign people, the strongest detestation for a custom which is so degrading to an intellectual being, took unspeakable pains to abolish it. For this purpose he discouraged those frequent, and numerous meetings, which under the title of *fraternities*, served for little more than a plausible pretext to indulge in this favorite excess. Many of these societies were of Pagan institution, and had originally been distinguished by the appellation of some heathen divinity, under whose immediate patronage they were supposed to exist. The introduction of a new religion had produced no material change in the pursuits and habits of the members, though it had in the choice of their patron, who was now selected from the Christian calendar, instead of being taken from the more jovial deities of antiquity.

In his third *capitular*, Charlemagne expressly forbids the receiving the testimony of a drunkard in a court of justice; and further enacts, that the

Count

Count is never to appear in his tribunal *unless he be sober.*

Another, and principal object of his reign, was to set bounds to the oppressive conduct of the great nobility. But notwithstanding all his exertions, the evil was too deeply rooted to be eradicated. Even during the vigorous administration of so vigilant and powerful a monarch, we not only meet with instances of the most unbounded despotism, in the behavior of the barons towards their vassals, but frequently find them waging war against each other, in open defiance of the royal authority. Repeated ordinances demonstrate his zeal in the cause of humanity, and prove, at the same time, the inefficacy of his endeavors.

He was scarcely more successful in his attempts to prevail upon the Germans to lay aside a custom, which had long prevailed, of going always armed. But every prejudice combined to oppose him. The very ecclesiastics themselves were so strongly imbibed with this martial spirit, that they actually made a merit of appearing at a council, at Mentz, in the humble garb of Christian pastors. “*We—These are their very words—We, (say they) who in “our character of prelates have renounced all worldly “concerns, are ready to lay aside all secular weapons,*”
“*confining*”

"confining ourselves entirely to those of the church. But we cannot take upon ourselves to advise the laity to abandon the use of arms. IT WAS THE USAGE OF OUR ANCESTORS, and WAS BY THEM TRANSMITTED TO US."

Under the immediate successors of Charlemagne, every salutary restraint was removed, while guilt stalked boldly in the face of day, without the shadow of disguise. In 847, there appeared an imperial rescript, forbidding murders, or robbery, under the severest penalties, *which had hitherto been regarded as the legitimate privilege of the great.* But of how little avail all regulations proved, we may collect from the following declaration, which was published by the ecclesiastical synod, assembled at Mentz, in 888. "Who can behold with dry eyes," (exclaim the prelates) "our churches ruined, their altars overturned, their plate stolen, their priests murdered, and the faithful thus deprived of the advantage of all religious ceremonies?" Allowing for the exaggerated stile of declamation, what a picture of horrors have we here ! But it was an age of unbounded licentiousness.—We have instances of princesses being forcibly carried away from their father's palace, and compelled, however reluctantly, to marry the ravisher. We find a king causing his son to be deprived of sight, only be-

cause he refused to continue in the ecclesiastical profession, which he had been obliged to embrace contrary to his inclination.—Nay, even Charlemagne himself thought it right, publicly to exhort his sons, *not to put their nephews to death without a legal trial—nor to maim them, nor to blind them, nor to force them to enter into a monastic life without their consent.*

Profligacy of morals prevailed to such a degree, that Dagobert had three wives, at the same time, all of whom bore publicly the title of queen. But the greatest of calamities was the total defect of probity, and honour. At no period of the world were oaths in such frequent use, nor accompanied with such imposing solemnity, and yet at no period were promises so little binding. *Vopiscus*, speaking of the Franks, uses these remarkable words, *they wore a smile upon their countenances, even while they were meditating the blackest treachery.** *Procopius* considers their want of faith as proverbial. *Gregory of Tours* abounds with anecdotes of their perfidious character, and in this instance, at least, we have no reason to doubt his testimony. Having occasion to mention Guntram, he adds, “Though
“ in other respects a man of honour, yet he was so
“ addicted to falsehood, that he scarcely ever took

* Bell. Goth. c. 27.

“an oath, which he did not immediately break.” So that among the ancient Franks it was possible to be guilty of the blackest perjury, and still to enjoy the reputation of a *good sort of man*. *Goodness* indeed, when taken in this sense, is a quality which has been shamefully prostituted in all ages, but the most lax of modern moralists would, we flatter ourselves, have blushed to lavish it on so unworthy an object.

During the seventh and eighth centuries, the whole science of jurisprudence may be nearly reduced to the practical experiment of devising new ceremonies, by which to increase the sanctity of an oath. The discovery of a *relic* was regarded of no less importance in a *judicial*, than in a *religious* view. The arm of government was supposed to receive an increase of strength, proportionate to what it acquires in modern times from an additional law. Great, indeed, was the veneration for saints and martyrs, who were believed to be personally interested in the respect which was shewn to the mouldy remains of their corporeal existence; and that they revenged every instance of disregard, by an immediate manifestation of their

* Guntrammius vers *aliis sane bonus*, nam ad perjurium nimium præparatus erat veruntamen nulli amicorum sacramentum dedit, quod non protinus omisisset. Greg. Tur. l. v. c. 14.

displeasure. Thus, when an oath was to be administered, the person, who took it, held in his hand a tooth, or bone, or other sacred fragment of martyrology. Sometimes he was conducted to the grave of the most fashionable saint, in hopes that the superior sanctity of the spot might inspire peculiar awe. But if the affair in question was of a nature to require more than common investigation, he was then carried, on a kind of religious tour, to visit the most celebrated shrines, on every one of which he was to renew the asseveration of his innocence. Yet it frequently happened, that all these precautions were ineffectual, for the man, who had so little regard to honesty, as to deceive the inhabitants of this world, was seldom found to shew much respect for those of the other.* *Chilperic*, when in contradiction to the most solemn promise, he went to Paris, was most religiously scrupulous in his devotions to every popular relic, hoping by the assiduity of his attendance to conciliate the favor of those holy personages, whom he had so grievously offended by his perjury. *Ebroin*, when he publicly swore to respect the sacred character of the Austrasian Duke, if he should venture within the Neustrasian territory, had the precaution to remove the relics out of the case where they were usually kept, flattering himself,

* Gregory of Tours.

by this pious fraud, to escape the punishment, which is due to broken oaths.

The superstition and credulity of the times are thus described by the celebrated *Agabard*, who was Archbishop of Lyons, during the reign of *Louis le debonaire*. "The Christians of our days, (says he) swallow down absurdities, at which the very Pagans themselves would have revolted." He then proceeds to bring forward a variety of instances in support of his assertion, and among others, the popular opinion, that there were men endowed with the power of raising storms, and directing the elements.*

Pilgrimages were much in use, and regarded as highly efficacious. Even the strong mind of Charlemagne had imbibed a taint of this prevailing prejudice. His frequent journies to Rome were, in all probability, not entirely dictated by motives of policy, though he had the good sense never to lose sight of his temporal interests, through excess of superstition. Various heathen ceremonies had found their way into the Christian church, which are easily traced to the original source, in spite of their new disguise. Instead of consulting the

* A factitious tempest was stiled *aura levatitia*, the person possessing the faculty of exciting it, *tempestarius*

eagle's flight, or the palpitating entrails of the slaughtered bull, substitutes were found equally unsatisfactory and absurd, to which credulity had resource for the uncertain knowledge of futurity. One species of divination, which was denominated *sortes sanctorum*, consisted in opening the Bible at random, and reading the first verse that caught the eye; the sense of which was transferred to the event in question, and considered as a satisfactory interpretation of it. Thus we find that Clovis, having directed his march accidentally towards Tours, sent some of his followers into the cathedral, where the body of St. Martin reposed, in hopes that the peculiar respect he had shewn for the patrimony of the saint, might tempt him to give some visible sign, by which to judge of the result of the expedition in which he was engaged. As they entered the church, the canons were chanting the following verse, *præcinxisti me, domine, ad bellum; supplantasti insurgentes in me suætos me, & inimicorum meorum dedisti mihi dorsum*. The meaning was evident. Clovis returned thanks to the holy martyr for this favourable interpretation of the divine will, and marched intrepidly against Alaric*, when the event of the battle proved the saint to be no flatterer.

* Gregory of Tours, l. ii. c. 27.

The extreme ignorance of the times rendered it almost impossible to meet with persons properly qualified for the exercise of religious functions. Even under the monastic habit, and at the very foot of the altar, we discover the same spirit of licentiousness which prevailed so generally among the laity. The meekness and benevolence of the Christian character might possibly be admired in theory, but were to be met with no where. Nor were the appropriate duties of the ecclesiastical profession suspected even to exist. Instead of comforting the afflicted, visiting the sick, and administering the balm of consolation to a troubled conscience, gaming and hunting formed the sole occupations of the clergy. By degrees they ~~en-~~
~~dorsed~~ the cuirass, and led their vassals in person to the field. We must not however be induced, by our reverence for living examples of morality and devotion, to imagine that the sword of the church was always drawn in the cause of justice, or in the defence of injured innocence. Interest, ambition, and party spirit, were no less active in stimulating the martial prelate to arms, than in exciting the animosity of the secular knight. Their religion too was a motley composition. The miracles of the Gospel were frequently engrafted upon Pagan errors. The latter too, was but an incongruous mixture; in which we find the elegant mythology of Rome disfigured by the introduction

of that rude system of Polytheism, which we meet with among the barbarous nations of the north.

No cause seems to have operated so powerfully to impede the progress of improvement, as the prejudice, which almost universally prevailed against every thing that was Roman. This antipathy was so strong, that every convenience of life was rejected without further inquiry, if borrowed from a Roman model. Indeed, it is probable, that all remains of taste and literature would have perished irretrievably, except for a custom which was pretty general in all religious houses, of setting apart a certain number of hours to be daily employed in some manual occupation. The wish of diversifying their labors led them sometimes to transcribe those Latin manuscripts which fell into their hands; and this accounts at once for their numbers, and the inaccuracy of existing copies. Such too was the ignorance of the clergy, that regulations still exist, prohibiting the reception of any person into holy orders, unless he had been taught to read.

Of the taste and genius of the times, some opinion may be still formed from the works of the ancient chroniclers. Even Gregory of Tours, manifests such abundant credulity; and such a love for the marvellous, that it is no easy task to select
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from his writings, such materials, as are worthy the attention of an enlightened reader. The human understanding (says *Fredigar*) evidently suffers from the general decay of nature. So that it would be in vain for a writer of *our age* to aspire to the genius of men who flourished when *the world was in the full vigor of youth*.

It should seem a paradox to say, that the situation of the people deteriorated in proportion as the prerogatives of the crown were circumscribed. The remark, however, is correctly true, as the smallest degree of attention will convince us. In the days of Clovis, the word *people* was a term of distinction. "*Our people*," says this rude warrior in a letter to one of his bishops, after the battle of Poitiers, "desire, that when you claim any of the prisoners, under pretence that they are vassals of the church, you would substantiate the demand upon oath." In more modern times, a sovereign would, in all probability, have substituted WE, for OUR PEOPLE. Nothing besides can be clearer, than that the people were always consulted in the division of the spoil; and that the prince could not dispose of any part of it, *without their consent*. But as the feudal system gained ground, the power of the barons increased in the same proportion, while the consequence of the people, by degrees, dwindled away, till they sunk
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into mere cyphers, and were considered in no other light, than that of so much live stock, attached to the glebe they cultivated. In process of time, the great vassals became so formidable, that the sovereign was totally unable to carry on any war, of which they did not approve. Nor was it an uncommon thing for them to desert the royal standard, so soon as they found all further hope of plunder at an end. This spirit of insubordination, and self-interest, deserves particular notice, as it serves to throw some light upon the failure of many important expeditions, for which otherwise it would be difficult to account. Terrified at the increasing influence of aristocracy, the short-sighted monarchs had recourse to a remedy, which eventually proved still more fatal to their authority, than the disease itself. They chose out one of the most powerful of the nobility, whom they loaded with favors, hoping, under shelter of his protecting arm, to awe his rivals into submission. Having united the highest military command to the administration of justice, the *maires du palais* soon rose to a degree of pre-eminence, which totally eclipsed the royal phantom, whose authority they were supposed to represent. The ambition and jealousy of these haughty ministers were the sources of incessant wars between the rival nations of Austrasia and Neustrasia: which, together with their boundless prodigality towards the barons of their

their own faction, had so completely exhausted the royal treasury, that Charles Martel was reduced to the necessity of granting ecclesiastical benefices to various lay-lords, as a means of contenting their avidity. This being the only branch of revenue which had been left untouched by his predecessors. These grants were commonly made upon the usual conditions of feudal tenures, and were thus gradually converted into a new species of military fief. The abuses, arising from this system, were enormous. Many of these nominal prelates were married, to the great scandal of the church. Nor was their way of life in any respect different from that of the lay-barons, from whom they were distinguished only by the ecclesiastical habit, which in compliance with vulgar prejudices, they sometimes condescended to wear. We may thus account, in a satisfactory way, for that martial spirit, which in those days had found its way into the ecclesiastical profession, to the utter subversion of decency, morality, and social order.

Though the crown was in a great measure hereditary*, yet the *consent of the people* appears to have been almost universally regarded among the

* It seems to have been entirely so with respect to the reigning family, though it did not always descend according to the direct line of succession.

northern nations, as a ceremony by no means indifferent. No sooner had the reigning monarch decided upon the division of his states, than an assembly of the people was summoned, when the prince, or princes, who were destined to succeed, being elevated upon a shield, were publicly acknowledged as the rightful heirs.

We find, from the ancient chroniclers, that Pepin was *anointed* and *crowned*. But since they do not mention this as a *new* ceremony, it is reasonable to infer, that it was no innovation, but had been practised at the accession of other monarchs before his time.

A kingdom was divided into a certain number of *districts*, (called *pagi*) each of which was under the immediate jurisdiction of a *count*. Several of those constituted a *province*, and were subject to the superintendence of a *duke*. The duties of these offices may be sufficiently understood from * a patent,

* *Præcipue regalis in hoc perfecta conlaudatur elementia, ut inter cunctum populum bonitas et vigilantia requiratur personarum. Nec facile cuilibet judicariam convenit committere dignitatem, nisi prius fides et strenuitas videntur esse probata. Ergo dum et fidem, & utilitatem tuam videmur hac e re compertam; ideo actionem comitatus, ducatus, patriciatus in pago illo, quam antecessor tuus ille usque nunc visus est egisse tibi ad agendum*

tent, which is preserved by Marculfus. Indeed, there appears to be scarce any difference in them, except as to the extent of territory over which they presided. Every duke had usually several counts under him, though there are instances in which the latter appear to have exercised an independant jurisdiction, subject only to the controul of royalty, without the intervention of any intermediate magistrate. From all existing documents it is pretty evident, that the word *count* was merely an *official distinction*, and not an *hereditary title* attached to a particular fief. The qualifications which were deemed requisite for this high office, consisted in loyalty and courage. The first of these was of the greatest importance at a period, when civil feuds predominated with unbounded licence. The latter was the appropriate character of knighthood, and was regarded as the type of every virtue. Neither of these offices were hereditary in their origin. Gregory of Tours

gendum, regendum que commisimus. Ita ut semper erga regimen nostrum fidem illibatam custodias & omnes populi ibidem commanentes, tam Franci, Romani, Burgundiones, vel reliquæ nationes sub tuo regimine degent & moderentur, et eos recto transiite securum legem & consuetudinem eorum regas. Viduis & pupillis maximus defensor apparens. Lutronum scelera a te reprimantur, ut populi bene viventes, subtus regimine gaudentes, debeant consistere quiescere. Et quid quid de ipsa actione in fisci ditionibus speratur per vosmet ipsos singulis annis nostris ærariis inferatur. Marc, l. i. f. 8.

speaks

speaks of a certain Pænius, who sent his son Mammolus to the court of one of the Merovingian princes, with a sum of money, which he was instructed to apply in such manner, as to obtain a renewal of his father's charge, which was upon the point of expiring; but that the son contrived to lay it out so much to his own advantage, that he procured the grant for himself. It is by no means easy to fix the exact period when these employments became hereditary. Many instances are to be met with in Gregory of Tours, where both dukes and counts have been removed. But cases of this nature appear in general to have been looked upon as signal marks of royal displeasure, and were by no means common.

To acquire an adequate idea of the form of government, which was established in those dark ages, it will be requisite to take a hasty view of the different codes which prevailed among the northern nations. And as these have in great measure served for a basis upon which the more perfect superstructure of modern jurisprudence has been gradually raised, the inquiry cannot be deemed altogether nugatory.

It has been an object of laborious, and hitherto, in a great degree, of ineffectual investigation to the
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the antiquary, to trace the origin of the words *Salic* and *Ripuarian*. The definitions of the former are no less various than they are fanciful, and unsatisfactory. The latter is probably derived from the Latin word *riparius*, as it relates to a people, who inhabited the banks of the Rhine, the Moselle, and the Schelde. It requires but little penetration to discover, that both the *Ripuarian* and *Salic* codes, were indebted for their origin to a people who were subject to the errors of Paganism; and that they were afterwards reformed by the first Christian princes, till they were purged from their most striking absurdities, and rendered, if not reconcilable with, at least not repugnant to, their newly adopted faith. It is true, that the most ancient manuscripts, with which we are acquainted, are all in the Roman tongue, yet so evident throughout the whole are the allusions to German manners, that many ingenious critics have been induced to suspect, that they were originally composed in that language; while national vanity is flattered in thinking, that they serve to contradict the picture drawn by Tacitus, of the rude state of society among their early progenitors.

It is far from our intention to enter into a minute investigation of the merits or demerits of these celebrated systems, which have already been elucidated in so satisfactory a manner by an abler pen.

pen. But shall content ourselves with a few cursory remarks, which appear necessary to illustrate our subsequent narrative.

Perhaps no stronger argument can be adduced of the inefficacy of all civil institutions for the preservation of peace, in a rude and barbarous age, than the various regulations and provisions which so frequently occur in the Salic and Ripuarian codes, for the termination of private quarrels. In more polished nations, the law announces itself in an authoritative tone. Among the early Germans, it rather persuaded, and advised, than commanded. Hence, in cases of homicide, it was more the object of the judge to pacify the relations of the deceased, than to punish the criminal, to prevent the fatal consequences of family feuds, than to revenge the injury which had been committed against society. The following anecdote is related by Gregory of Tours. A young man of Tour-nai, indignant at the ill-treatment which his sister had received, fell upon her husband, with the assistance of a select party of friends, and murdered him with many of his attendants. The affray however, was of so desperate a nature, that the youth, with several of his companions, were killed. The spirit of revenge might now be supposed to have been amply satiated. This was, however, very far from being the case. The honor
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of the deceased required a still further effusion of blood. The relations, and dependants armed on both sides. Not a night passed, but the citizens of Tournai were alarmed with the shrieks of murder, and the clash of swords. Not a morning dawned, but they were shocked with the horrid spectacle of some friend, or relative, borne lifeless to the grave. Fredegunde, who to the disgrace of humanity, and of the female character, at that time reigned over a part of France, left nothing unattempted to appease their resentment. But finding every effort ineffectual, she embraced a resolution, which, while it displays the ferocity of her own disposition, evinces the weakness of the civil arm. Having invited the principal adherents of either faction to a splendid entertainment, under the specious pretence of promoting a reconciliation, she plied them with wine, till they were incapable of all resistance, and then caused them to be assassinated in cold blood.

One of the most crying abuses of the Ripuarian and Salic codes, was their venality. Every crime was punishable by a fine. The lives and members of men were taxed according to their rank and profession; which, in many cases, is in an inverse proportion to their real value; an arm or leg being certainly of greater consequence to a peasant, than to a priest. Thus a tariff existed by

which a man was always certain at what expence he might infringe the rights, or mutilate the bodies, of his fellow creatures. A Frank was rated at twice so much as a Roman. What a degradation, to the vanity of that once proud republic! and what a train of reflections might not this single circumstance excite in a philosophic mind, upon the instability of all human greatness. In this respect at least, the Burgundians and Visigoths were more equitable. Murder among them was punishable with death, without the invidious distinction of nation, or condition.

The absurdities, and inconsistencies of the *ordeals* trials, are too familiar to every reader to require any additional comment here. That by *single combat* appears to be of Burgundian origin, and to have migrated from them to the surrounding barbarians. Among the Franks, the sovereign seems to have presided in person in the public courts; and to have regarded the administration of justice, as the most sacred, and most important act of royal authority. Indeed, by some of the old German writers, the Latin word *regere* is translated by the word *judge*. The king *judges* instead of *governs*.

Subordinate alone to the royal tribunal, were those of the dukes and counts; who held the second

cond rank in the scale of magistrature. Their office is frequently termed *dignitas judiciaria*, a title which clearly proves, that their civil functions were in the highest estimation. When at any time, they were prevented from personal attendance; or possibly when the suit, or litigants, were not of sufficient consequence to merit the notice of such dignified personages, they were represented by their *vicars*. From whose sentence there was an appeal to the chief magistrate in person.

In order to render the proceedings more public, and to facilitate the appearance of a greater number of witnesses, the tribunals were usually erected in the open air. For in cases, where purgation by oaths was necessary, such precautions were indispensable. The very spots too, which were dedicated to this purpose, are even now to be traced in the etymology of the names of various German towns. No judge could decide a cause unless his shield lay by him. In the order of hearing processes, a decided preference was always given to the widow, the orphan, and the church. The laws were few and simple, and in a great degree dependant upon the feelings of the magistrate. So that the tedious and expensive forms of modern jurisprudence, were wholly unknown, and unnecessary.

By the Salic law females were incapable of succeeding to a military fief—a custom not devoid of plausibility, when personal service was the characteristic of feudal dependance. But among the Burgundians, and Alamanni, this usage was unknown.

No contributions were paid to government, but such as were voluntary, and under the title of free gifts. Military service was however a very heavy burden, at a time when the prince was engaged in continual wars, and when the vassal was obliged to take the field at his own expence. Yet still the revenues of the sovereign were far more ample than might have been expected. The sources from which they arose were the following: the crown lands, voluntary donations, and a considerable share in all fines, which in an age when misdemeanors of every description were subject to a pecuniary mulct, afforded no despicable resource.

No sooner had the Franks over-run the greater part of Germany, than they began seriously to apply themselves to the salutary task of reducing, into some regular form, those local customs, which had hitherto supplied the place of laws. We are informed that Theodoric, the son of Clovis, assembled the most enlightened of his subjects at Châlons, for the express purpose of collecting the laws
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of the Franks, Alamanni, and Bavarians. Having reviewed the code, when complete, he made such alterations as he thought most conducive to the welfare of his subjects, or to the support of his own authority; expunging those clauses which were repugnant to his confined ideas of Christianity. Childebert persevered in the same holy work, waging war against the errors of Paganism with a spirit of acrimony, which would have done honor to a monk. Clotaire the second had the honor of completing it, and merited by his zeal the encomiums of the church. This religious ardor appears, however, to have been his only claim to the reputation of virtue—but prodigality to the clergy was, in those days, a sufficient apology for every crime.

From various passages in these two celebrated codes, we may trace the original character of the Germans as described by Tacitus.* Their predominant passions, hunting and war, are manifest in the numerous clauses relative to the preservation of game, and in the high value attached to those animals, which were any way conducive to their favorite amusement. A hound, according to the

* In the ancient Thuringian dialect a *lance* and a *man* were synonymous terms, as were a *distaff* and a *woman*. War being regarded as the occupation of the one, *spinning* as that of the other.

Alamannic tarif, was rated twelve times higher than a cow; and at twice so much as a horse—a hawk was equal to two serfs, &c.

Agriculture, though far from being brought to any tolerable degree of perfection, had undoubtedly made a considerable progress since the days of Tacitus. For we even find several processes instituted to obtain the restitution of contested property; which prove, at least, that land was now become an object of general concern. This opinion is still further confirmed by observing, that the demarcation, and division of farms were attended to with some degree of accuracy; and that certain formalities were used in all bargains for the sale or purchase of estates. All which are considerable steps towards civilisation.

Grazing was in still higher repute, particularly in the mountainous districts, if we may be allowed to judge from the wages given to those who were employed in pastoral occupations. The pay of a shepherd, or swineherd, was equal to that of a cook—of a marshal, who had the inspection over twelve horses—of a senechal, who overlooked the same number of servants—or of a smith. From this we may collect the high value attached by the Germans to their flocks and herds, or their total indifference for a good dinner.

War

War was the only occupation for free men. An honor too great for the degraded condition of a serf. This perhaps was one of the most active causes of the immense population of the northern nations. Manufactures, war, and commerce, are a continual drain upon all polished people. In many countries too, the impossibility of supporting a numerous family is a fatal obstacle in the way of marriage. But in those days of plenty, when an increase of children was justly regarded as an increase of wealth, when health and vigor were the characteristics of youth, and men were not sunk into a premature decrepitude by the excessive fatigues, which are now necessary to procure even a morsel of bread, to assuage the cravings of a famished progeny—population flourished to a degree which appears almost incredible to us, who have been accustomed from our cradles to a different scene.

But in proportion as the habits of life assumed a more polished form, and a greater inequality prevailed in the distribution of wealth, the condition of the lower classes became gradually less comfortable. The position may at first sight be deemed paradoxical, yet it will be found, upon examination, to be grounded upon facts. At a time when tradesmen and mechanics did not as yet constitute

a distinct class in society, all the various labors, which were requisite for the convenience, or comfort of the lord, were performed by his serfs. By them were the stones brought, and hewn, which were employed to build his castle; by them were the timbers prepared; by them was the mansion erected. Works of this nature were no indifferent burden, at a timewhen those ingenious discoveries, which facilitate labor, were unknown; when the summit of a hill was usually chosen for the proud abode of aristocracy. A custom which was almost universal under the Merovingian, and Carlovingian kings, as we may ourselves judge from the frequent ruins which are still to be met with in most parts of Germany and Switzerland.

From a law of the Alamanni we may form an opinion of the martial spirit of that people, and of the imperfect ideas they entertained of justice. It enacts the punishment of a son, who shall take arms against his father, and dispossess him of any of his fiefs, *while he is in a situation to bear arms, to mount on horseback, or to do competent service to the king.* By this clause it appears, that from the moment a man was incapable of performing his warlike exercises, he was looked upon to be *dead* in the eye of the law, just as in more modern times he became so by taking the monastic vows.

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The superstition of the age requires no further illustration than what may be derived from the provisions of the law, against forcery, incantations, and witchcraft. The interference of evil spirits, enchanted arms, magic spells—in a word every absurdity that ignorance could devise, or credulity swallow, were regarded as objects of sufficient weight to occupy the attention of the legislator, or to excite the vigilance of the sovereign.

The fatal prejudices of the times had thrown all the commerce of Europe into the hands of the Jews. Besides, the excessive, and frequently inconsequent duties, imposed by every petty prince, at the frontiers of his little territory, operated with continual force to the utter annihilation of all useful traffic; and by raising the price of every article of consumption, which was not the produce of his own domain, placed many of the most common conveniencies of life entirely out of the reach of the far greater part of mankind.

The general tranquillity, which prevailed during the reign of Charlemagne, and which continued in Switzerland for a considerable time after his death, had proved extremely favorable to the progress of agriculture, and had contributed to introduce a less ferocious system into the habits and manners of society. We are informed that about
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this period the vine began to be planted on the southern and western sides of the most sheltered hills ; the cultivation of it gradually spread in proportion as the bleak forests of Germany fell beneath the axe of industry, and its impenetrable morasses yielded up their unhealthy soil to the indefatigable peasant. The mansions of the nobility too, assumed a more commodious aspect, nor was defence any longer the sole object which their lordly owners had in view ; while the adjacent lands presented an appearance of comfort, and security, far more congenial to the feelings of humanity, than war with all its proudest accompaniments. Villages arose in almost every vale. The smile of content, visible upon the brow of the Helvetic peasant, distinguished him from his more northern neighbors, and plainly indicated that he was already in possession of privileges, which placed him far above the degraded state of perfect slavery.

CHAPTER III.

Carlovingian Race—Boson—Division of the Burgundian Monarchy—Rodolphus—Helvetia united to the German Empire—Pretensions of the Court of Rome—Ineffectual Opposition of the Emperors—Bertold of Zaringen.

A. D. 813.

LEWIS the debonair, who succeeded his father Charlemagne, was formed by nature for the austere duties of a cloister; but unfortunately for his own reputation, and the happiness of a powerful nation, he was destined by birth to a throne. Possessing qualities, which might have enabled him to walk without reproach through the humble path of private life, his very virtues became blemishes in the exalted station to which he was called. Mistaken piety rendered him negligent of the duties of royalty, while the facility of his temper exposed him to continual errors, from a shameful condescension to the caprices of an ambitious wife. The clergy too took advantage of his weakness, and fattened upon the spoils of the impoverished

to be acquired. It is the remark of an ingenious writer, that men of common abilities wait for occasions, those of superior talents make them. The death of Lewis the Stammerer, opened a new field to the enterprising spirit of Boson. He saw the possibility of obtaining an independant crown. His soul caught fire at the alluring prospect, and devoted every faculty to it's attainment. In an age of superstition the influence of the clergy is unbounded. Happy would it have been for mankind, had it always been exerted in the cause of virtue! But ambition is represented, by our great poet, as the sin by which angels fell. It was the passion to which Boson applied. He was by nature liberal, he now grew profuse. Every thing that wore an ecclesiastical habit was secure of his bounty. Hermengarde too, on her part, was not inactive, but seconded the projects of her husband with the resistless logic of wit and beauty. Such arguments are seldom ineffectual. Every eye was turned towards Boson, as the only person capable of filling the vacant throne. His virtues, his talents, his piety, all called him to it. Nobles, clergy, people, were equally unanimous in his favor. A general assembly was held at Vienne, in Dauphiny, when the Burgundian sceptre was publicly tendered to the aspiring duke. Boson had now obtained the object of his wishes, but prudence still directed his conduct. He played his part like an experienced politician ;

politician; affected surprise at the unexpected offer; pleaded inability to undertake the arduous charge; and at length requested a delay of three days, before he gave his final answer, that in solitude and retirement he might consult the inclinations of Providence. Boson's scruples, as we may easily believe, were not of a nature to require much casuistry, nor were the prelates so little versed in the arts of a court as to be deficient in argument. The fiat of heaven was given by the unerring voice of episcopacy, and Boson declared to be the elect of God. The ceremony of his coronation immediately ensued. He received the crown from the hands of the archbishop of Lyons, amid the acclamations of an applauding multitude, so that no title, either divine or human, seemed now wanting to consolidate his authority.

No sooner were the weak descendants of Charlemagne informed of what had happened, than they roused from their lethargic slumbers, preparing to inflict a signal vengeance upon the ungrateful rebel, whose rapid rise had been, in great measure, the work of their own creation. That their indignation was just it is impossible to deny, unless we admit the dangerous position, that talents confer the only true claim to greatness. But the corrupted minds of these degenerate princes were little calculated for any heroic exertions.

Treachery

Treachery was more congenial to their character ; and experience had taught them the efficacy of corruption. But to their utter confusion, they soon discovered that there was a source of power more permanent than any which terror can convey, and of which they had never suspected the existence. They found that THE MONARCH, WHO REIGNS IN THE HEARTS OF HIS PEOPLE, IS SECURE AGAINST EVERY ATTACK. Disappointed, and foiled in their base attempts, they had recourse to a more honorable system, and flattered themselves to effect by open force, what their perfidious designs had failed to accomplish. A coalition was in consequence formed between Lewis and Carloman, (the joint successors of Lewis the Stammerer) and the emperor, *Charles le gros*. With their united forces they entered the Burgundian territory, and laid siege to Vienne. Boson had withdrawn from the first violence of the storm, to a place of security, in the neighboring mountains, leaving the defence of his capital to Hermengarde. The princess proved herself worthy the important trust. By her example she animated the timid ; by her praises she encouraged the brave. The citizens co-operated with the soldiers. Their defence was obstinate. Toils and hardships were forgotten while beauty shared them ; and rewarded the sufferer with a smile. On the part of the assailants, the siege was languid, and ill-conducted.

Lewis

Lewis too, unaccustomed to any fatigues but those of pleasure, fell sick and died. This event was followed by a fresh incursion of the Normans upon the coasts of France. Carloman trembled for his capital, and drawing off his army, marched against the invaders, having first concluded a hasty peace with Boson, whose daughter he had married. Thus the whole weight of the war fell at once upon the emperor, who finding his forces too much weakened, by the defection of his ally, to leave him any probability of success, immediately began to negotiate. A treaty was in a short time concluded, upon condition that Boson should be left in tranquil possession of the Burgundian crown, provided he would consent to hold it as a fief of the empire.

The almost total want of accurate information renders the transactions of these times at best but uncertain. Indeed such is the defect of materials, that it is a task of no inconsiderable labor for an historian, to preserve even the smallest appearance of order and regularity in his narrative. From the termination of the war with the emperor, the reign of Boson is clouded with obscurity. We learn, indeed, that he governed Burgundy during a period of nineteen years, when he died universally beloved, admired and regretted. Probably nothing is wanting but an adequate biographer, to

place the character of this great man in a more conspicuous point of view. A circumstance which perhaps has operated more forcibly, than we should readily admit, in fixing our ideas of heroic worth.

Boson was succeeded by his son Lewis, who was a minor at the time of his father's death, and seemed destitute of every support, but what he derived from the spirit, and capacity of his mother. The efforts of a woman however, are seldom effectual, when opposed to the aspiring projects of turbulent ambition. The superior genius of Boson had awed the most factious into silent submission—but the power which restrained them was no more. It is impossible for us to enter minutely into the details of this stormy reign. Materials are wanting. And all we can collect is, that a war, between Lewis and his barons, terminated in a division of the Burgundian monarchy. The southern provinces remained to the son of Hermengarde, with the title of Count of Provence, while the northern, or Helvetic, part, was wrested from him by Rodolphus, (a son of that Conrad of whom we have before had occasion to speak, as having obtained the investiture of Transjurane Burgundy, after the defeat of Hubert) and was by him erected into an independant state, the transactions of which are more intimately connected with the affairs of Switzerland.

Little

Little can be said of the actions of this prince, for little can be found in history. But from the few documents we possess, it appears that he was engaged in a warlike contention with Arnold, Emperor of Germany, about the year 897, from which, notwithstanding his disproportionate power, he escaped without any material loss. From this we may infer that Rodolphus was endowed both with prudence and military talents. After a reign of twenty-two years, during which he is supposed to have extended his dominion over several of the adjacent provinces, he was succeeded by his eldest son, whose name was likewise Rodolphus.

912. Much about the same time, the elevation of Conrad, duke of Franconia, to the imperial throne, established an eternal line of separation between France and Germany. So that, from this period, the history of Helvetia, is entirely unconnected with that of the former country.

During the weak and unsteady government of the Carlovingian line, many of the great German barons, in imitation of their compeers in France, had shaken off all subordination to the imperial crown. While the clergy, no less active and enterprising, had taken advantage of the distracted state of public affairs, to lay the foundations of that gigantic power, which affords the most memor-

able example of the weakness and cunning of mankind. This ardent strife for temporal aggrandisement gave rise to frequent contests between those potent orders, which were sometimes supported, on the part of the church, with a degree of vehemence, and animosity, not entirely consistent with our ideas of a profession, whose leading tenets are charity and peace. Rodolphus the second, was for a long time engaged in the troubles of Italy. Called, by the leaders of a triumphant faction, to the throne of Lombardy; he supported himself, for some years, in that precarious 920. dignity, with credit and reputation. Till finding, from fatal experience, that no dependance could be long placed upon the fidelity of a people, by whom perfidy was considered as the characteristic of genius, he prudently resolved to abandon a situation, which incessantly exposed him to dangers, against which courage was fruitless, and precaution vain. Having renounced his pretensions in favor of Hugh, or Hugo, count of Provence, he withdrew to his hereditary states.

Rodolphus lived upon terms of the most intimate friendship with the emperor Henry the First, who is supposed to have courted his alliance, by every distinguishing mark of favor, that by their intimate union, they might balance the growing power of the house of Suabia. From him he received

received the investiture of several imperial fiefs, which lay contiguous to his patrimonial domain; and presented the emperor in return with a lance, the ideal value of which was scarcely inferior to the gift he had received, as it was supposed to be the same, which pierced the side of Christ, while upon the cross. A modern negotiator would probably smile at the offer of such an equivalent. But anecdotes of this nature afford a clearer insight into the spirit of the times, than volumes of the most elaborate disquisitions.

The restless temper of the Italians induced them, once more, to lay their crown at the feet of Rodolphus. But Hugo, being apprized of their intentions in time, dispatched an ambassador to his rival, with an offer to cede Provence to him, provided he was left in tranquil enjoyment of the Lombard throne. The proposal was too tempting to be rejected. Hugo however, had ample cause to repent the bargain. For being driven from his capital, in a popular tumult, he bid adieu to the deceitful charms of greatness, and retired to a sequestered spot in Switzerland, where, under the habit of a monk, he devoted the remainder of his days to acts of benevolence and devotion.

The situation of Rodolphus was widely different. In the meridian of life, he enjoyed the full reward of prudence, and in a scene of active virtue, contributed to the happiness of thousands. His dominions extended from the banks of the Rhine to the Mediterranean; and not only comprehended the most important passes of the Alps, but some of the finest provinces of southern France. His reputation was great and unblemished; his power extensive, and built upon the only solid basis—the affections of his people. In the midst of this delightful prospect, and at an age, when he could look forward with reasonable hope to a long continuance of honorable repose, he was suddenly snatched away by the hand of death, before he had a son old enough to take upon himself the administration of public affairs.

During his minority, Conrad was committed to the care of Libo, bishop of Lausanne, a prelate of distinguished merit, who appears to have executed the important trust with prudence and ability. At least, the conduct of the young prince, when arrived at years of discretion, was of a nature to reflect the highest honor upon those, who superintended his education. His father's example seems to have been the model after which he endeavored to mould his own actions.

A better

A better it would have been difficult to select. From him he learnt the advantage of a strict union with the imperial throne; and in adherence to this plan, ever maintained the closest amity with the emperor Otho, who married his sister Adelaide. By his moderation, and firmness, he in a short time quelled the disturbances, that were excited by the factious spirit of the nobility, but which under a less judicious prince, might have occasioned the loss of Provence. The Huns, during this reign, began to infest the frontiers of Burgundy, and by their destructive progress spread universal consternation. The active monarch marched in person against the invaders, and
 954 having defeated them in a decisive battle, restored confidence and tranquillity throughout his dominions.

993. Upon the death of Conrad, a general assembly was held at Lausanne, when his son Rodolphus was raised, by unanimous suffrage, to the throne of Burgundy. The character of the new king was little calculated for an age, when prudence, and energy were indispensable qualities to support the dignity of a crown. Weak, irritable, and severe, his administration presents a succession of actions, rashly undertaken, impolitically pursued, and disgracefully abandoned. From the very commencement of his reign, he

contrived to alienate the affections of the nobility by an unjust attempt to deprive one of the most considerable of that powerful body of his patrimonial estate. Such an outrage, at a later period, when royalty and religion had entered into a dangerous confederacy against the liberties of mankind, might perhaps have passed unnoticed, as no extraordinary stretch of prerogative. But the independant spirit of these uncourtly warriors, was not yet sufficiently softened by the refining hand of corruption, to bow in submissive silence to the yoke of despotism. The act was regarded as an injury to the whole order. Every individual was sensible that to be silent, was to authorize oppression. Today he connived at the injustice, tomorrow he might be the victim of it. A meeting of the barons took place, when it was resolved to publish an address to the nation, stating their grievances, and asserting their privileges. It was drawn with all the boldness of men, who felt the true value of liberty, and in a style, which proved they were no strangers to it.—“ Rodolphus, it was said, owed his crown to the voluntary choice of the people, and not to any vain claim of divine hereditary right. By his office, he was appointed the first magistrate of an independant state; and was entrusted with the administration of justice for the public benefit, being at all times accountable for his actions to
“ those

“ those, from whom his power was derived. That
“ so long as he fulfilled the duties of his high station,
“ to the general advantage of his subjects, he was
“ entitled to their obedience, and should receive
“ every tribute of respect, which had been offered
“ to the most glorious of his predecessors by a
“ grateful and happy people. But from the mo-
“ ment he transgressed the fundamental principles
“ of government, and attacked the constitution in
“ it's vital parts, the compact ceased ; and under
“ such circumstances, the duty of self-preservation
“ became paramount to every other obligation.”
Such language carried conviction. It derived it's
force from the immutable dictates of reason, and
was proof against all the sophistry of a court.

A general combination was in consequence
formed against the weak, and irresolute mo-
narch, who now beheld himself upon the very
brink of destruction. No hope was left him, but
in the interference of his aunt, the empress Ade-
laide, Otho's widow, who by her exemplary piety,
and unbounded benevolence, had merited univer-
sal esteem. Her virtues operated upon the minds
of the Burgundians with greater effect than all
the warlike preparations of their indignant so-
vereign. By her mediation, a compromise took
place, and peace was once more established, with-
out

out any material sacrifices on the part of Rodolphus.

Unfortunately however for the king, Adelaide did not long survive the reconciliation she had effected. Her loss was irreparable. Rodolphus, left once more to his own direction, was carried away by the current of passion, like a vessel without it's pilot. His situation grew every day more deplorable. His treasures had been lavished with heedless prodigality, nor did he know which way to turn himself for a supply. Every thing was tried.* The ecclesiastical benefices were kept vacant, that their revenues might afford a temporary resource. At other times they were bestowed upon unworthy objects, as the fruits of servility, or the recompence of apostacy.

Measures so unpopular were but little calculated to produce any radical cure in those wounds which had been barely seared over by the skill of Adelaide. A fresh storm seemed gathering fast, when Rodolphus abandoned by every party, and incapable of finding any expedients in the energy of his own exertions, saw no hope of salvation, but in the protection of the imperial throne. To

* Dittmar.

this he had recourse for shelter, and in order to engage him the more heartily in his cause, he declared the emperor, Henry the Second, his heir. Odo, or Eudes, count of Champagne, who was nephew to the king, being descended from his sister Bertha, heard with indignation of a transaction, the avowed object of which was so hostile to his future prospects. Rodolphus, indeed, was sunk too low to excite any sentiment except that of contempt. But his own interest was too nearly concerned for Eudes to continue a tranquil spectator of this iniquitous negotiation between pusillanimity and injustice. The treaty was no less unpopular among the Burgundians, than it was prejudicial to the count of Champagne. They revolted at the idea of being subject to a German master; and felt themselves imperiously called upon by the necessity of the case, to put in practice those precepts which they had so lately established, as the only proper creed for a free and independant people. A general insurrection took place, at the head of which appeared William, Count of Poitiers, a man equally conspicuous for his illustrious descent, his large possessions, and his military exploits. Terrified at the approaching danger, the timid monarch fled, with his queen, to Strasbourg; where he threw himself at the emperor's feet, acknowledging his dependant
state,

state, and humbly imploring succor. Henry beheld the wretch with the scorn he merited; and would, in all probability have abandoned him to his fate, had he not been stimulated to assist him by a passion more active than that of pity. The moment was favorable to his views, and he stipulated for an immediate surrender of the Burgundian crown, before he would consent to take a single step in defence of it's degraded master.

It could hardly be supposed, that so high spirited a people, as the Burgundians, should tamely submit to be disposed of, like cattle, at the will of an arbitrary master. Their conduct was such as we should expect. They refused to acknowledge a sovereign, whose authority was unsanctioned by their own consent; and armed in defence of their dearest rights. The spirit of Henry was little formed to recede. He felt all the importance of the acquisition he had made, and resolved never to relinquish it. Both parties prepared for the field, but with very opposite prospects. The situation of the Burgundians, threw many difficulties in their way. Composed of various provinces, their language and customs differed no less than their laws and franchises. Their objects therefore, could not be the same, and though they were animated with a spirit of independance, which is capable of giving

giving birth to the noblest achievements, that intimate union was wanting, which is the soul, and essence of all confederacies.

The imperial army, under the command of Werner, bishop of Strasbourg, entered the Burgundian territory, and advanced by rapid marches to the lake of Geneva, where the insurgents were posted, headed by the Count of Poitiers.* A general engagement took place, the event of which proved unpropitious to the cause of liberty. Indeed, so complete was the success of the imperialists, that nothing was left for their adversaries, but unconditional submission.

1029. Upon the death of Henry, who died without issue, during the life of Rodolphus, a fresh contest arose for the Burgundian sceptre. By the feudal law, it devolved to the count of Champagne, who claimed it in right of his mother, the second daughter of Conrad, father of Rodolphus. But as the new emperor, Conrad, had married a daughter of Gisella, who was a younger sister of Bertha's, he thought fit to assert his title; though his wife, who was the widow of Ernest, duke of Suabia, had a son by her former husband: so that supposing

* Guichenon.

Eudes to have been entirely out of the question, he would have been the legitimate heir. Finding therefore, how little he had to expect from any plea of consanguinity, the crafty emperor set up a new pretension, asserting that the kingdom of Burgundy had been annexed to the imperial crown by the donation of Rodolphus, and that it consequently devolved to him, as the head of the Germanic body. Differences of this nature can be determined by the sword alone; to which both parties now appealed. The war was supported with vigor on either side. Eudes, though unsuccessful, was not subdued. When unable any longer to face the emperor in the field, he had recourse to negotiation. Temporary suspensions took place upon the faith of treaties, which were constantly violated by the count, the moment that any change of circumstances afforded him the faintest prospect of better fortune. Hostilities were, in this manner, protracted for several years, till falling in a decisive battle, near Bar-le-duc, Eudes left 1038 his rival in undisputed possession of the contested throne. Delivered from the dread of a competitor, Conrad found nothing wanting to complete his title, but a circumstance which has seldom much weight in the opinion of a conqueror—the consent of his subjects. This however, he had the prudence not totally to neglect, and having previously tampered with the leading

leading men, he summoned a general assembly of the states at Soleure, and caused his son Henry to be elected king.

Henry the third, who after his father's death, united the whole of Switzerland to the imperial crown, omitted nothing which prudence could dictate, to establish order, and good government. Civil dissensions are in general productive of every abuse. The support of the great is of too much importance to the contending parties, to allow them to watch over their conduct with that attentive vigilance, which, in an age of barbarism, is so essential to the public peace. The castles of the nobility had of late been converted into the receptacles of plunder. Their haughty owners bid defiance to the law, and seemed to regard the privilege of oppressing their inferiors as the most valuable appanage of rank. The tribunals of justice were forsaken, and upon the slightest difference, an appeal was made to the sword. To prevail upon men of such licentious principles to lay aside their ferocious habits, and to submit to what they considered as *plebeian*, forms of law, demanded a degree of perseverance, and moderation, which is the lot of but few. Public utility was however, a sufficient inducement to stimulate the emperor to the attempt, and he had the satisfaction to find, that his endeavors were ultimately crowned with
the

the success they deserved. When the voice of persuasion proved ineffectual, force was employed. Several castles were levelled with the ground. Tribunals too were instituted both at Zurich and Soleure, to the decisions of which, it at length became no degradation to submit.*

1056. Unfortunately for mankind, the effects of these salutary institutions were far from permanent. Notwithstanding all the great and brilliant qualities of Henry the Fourth, his reign was but little calculated to promote domestic tranquillity. It would be foreign to our subject to enter into any detail of the memorable controversy between the popes and emperors, which so long distracted the Christian world. Yet it is difficult to suppress our indignation, when we behold the successor of the humble Peter—the representative of a monarch who disclaimed all temporal grandeurs, and expressly declared, THAT HIS KINGDOM WAS NOT OF THIS WORLD, trampling with insulting pride upon the imperial diadem, and in the very phrenzy of presumption, arrogating to himself, a paramount dominion over all the princes of the earth. Yet such were the pretensions of the haughty Hildebrand, when seated in the papal chair, under the memorable title of Gregory

* Stumpf. Guillim.

the Seventh. Such too was the blindness of the age, that the servility of the people kept pace with the arrogance of the monk. Nay, we find that even those, who were most interested in opposing so execrable a tyranny, were proud to enlist under the banners of the church. The high-spirited emperor, abandoned by all, was forced to drink the cup of humiliation to its very dregs—to appear in the supplicant garb of a penitent, at the feet of the implacable priest, and to
 1077 expiate, in all the bitterness of a broken heart, the atrocious crime of having dared to defend his hereditary rights with the courage of a man, and with the dignity of a sovereign. The greater part of Germany, forgetting that the emperor was defending the common cause of royalty, took arms in favor of the pope, and adopting the abominable principle, *that subjects were absolved from all allegiance to an excommunicated prince*, deposed Henry, and elected Rodolphus duke of Suabia, in his stead.

During this era of unprecedented anarchy, while every province was convulsed with the violence of faction, and all the ties of domestic union were forcibly rent asunder, crimes and disorders of the most alarming nature had been committed with impunity, while justice hid her degraded

head, not daring to oppose her solitary voice to the prevailing current of the times.

The petty dissensions of contending nobles, though frequently productive of the greatest calamities to all who are within the noxious sphere of their pernicious influence, are scarcely ever characterised by those brilliant achievements, which render war, when conducted upon a more extensive scale, a theme for the historian to commemorate, and the poet to sing. The former will, perhaps, exhibit human fortitude in situations no less trying. The courage of the individual may shine with equal lustre. He may rush with a devotion equally patriotic, on the opposing spear, or brave the horrors of famine with as obstinate intrepidity. But actions, like these, which upon a more splendid theatre, would have immortalized some name long since buried in oblivion, are now confounded amid the endless catalogue of private calamities, which daily desolate this earth.

The annals of Helvetia, during the tumultuous reign of Henry the Fourth, would furnish abundant anecdotes of the latter description, but on account of the obscurity of the actors, we shall pass them over in silence, as uninteresting to a modern reader.

At

At a period like this, the splendor of a family depended so entirely upon the character of it's chief, that nothing is more common than to find names, before unnoticed, bursting on a sudden from their native obscurity, to occupy a conspicuous place upon the great stage of human enterprize. The house of *Zaringen* was among this number. Bertold had been one of the most active supporters of Rodolphus, in his pretensions to the imperial dignity, and after his death, became the soul of that faction, which still adhered to the court of Rome. Unable any longer to oppose the formidable power of Henry, and finding his party gradually dwindling away, he gave way to despondency, sunk into a settled melancholy, and died of a broken heart.

His son united political address to military talents. He increased his patrimonial domain by the acquisition of the Brisgau, and of the Black-forest—the latter of which, he conquered from the house of Suabia. His influence, too in the northern parts of Switzerland was very considerable, as to extensive hereditary possessions, he united the administration of the province of Zurich, which he received as a mark of imperial favor.

His son, and successor, Conrad, pursued the same plan of aggrandisement with steady pru-

dence. And such was the high consideration he enjoyed, that he was selected by Lothaire 1126. the second for the important post of governor of Burgundy—a dignity which, from that time, became hereditary in his family. This valuable office placed the greater part of Switzerland under his immediate jurisdiction, and entitled him to hold a distinguished place among the princes of Germany. The death of Lothaire was however a blow he with difficulty recovered. For, induced by an amiable sense of gratitude towards the family of his benefactor, he imprudently attached himself to that party, which opposed the election of Conrad, duke of Franconia. Frederic, the emperor's nephew, so well known in history by the title of *Barbarossa*, took possession of Zurich, and of the greater part of the Brisgau, and constrained the margrave to accept such conditions as he thought proper to impose.

1156. Bertold the third, (or *fourth*, as he is sometimes called) took warning from his father's danger, devoted himself entirely to the imperial interest, and as the reward of his attachment, he obtained, from the emperor Frederic, the investiture of several provinces on the lake of Geneva. The wisdom of his government justified the partiality of Barbarossa. Several towns, which

which had fallen into decay during the turbulence of civil commotions, were repaired and fortified. Others were built. Among the latter was Fribourg, the present capital of one of the thirteen cantons. His municipal establishments do equal honor to his memory. Among these, we trace a form of legal process, not unlike our *trial by jury*. To have been blest with discernment sufficient to copy from the immortal Alfred, is no inconsiderable degree of merit.

1185. Bertold, the fourth, appears to have lived in a state of continual warfare with his turbulent nobles, particularly with those of Burgundy; who resisted every plan of reform with the stupid obstinacy of prejudice, when stimulated to action by the corroborating voice of private interest. But Bertold was not to be diverted from that path, which his natural good sense informed him was the only one which led to permanent improvement. The murmurs of faction were disregarded, and measures taken to enforce obedience. The insurgents were every where routed, but their generous sovereign took no other advantage of his success, than to enforce obedience to the laws. The seeds of discontent were, however, sunk too deep to be easily eradicated. Bertold was resolved to secure himself against any sudden attack, which was the only thing he

had to apprehend. For this purpose, he adhered to his father's plan of fortifying the open towns, and building castles in such places, where an insurrection was most to be dreaded. To this system of precaution Berne owes its foundation.

It cannot be supposed that the whole body of the nobility was equally deaf to the voice of reason. Some, we find, who were superior to the prejudices of the age, and who came forward with bold conviction in defence of a system which aimed at nothing but the general welfare of mankind. And it is with peculiar satisfaction, that we read the name of Erlach at the head of this list—a name so frequently mentioned with applause in the annals of Switzerland, and which will henceforth have an eternal claim to the reverence of a grateful country, from the firm and patriotic conduct of its late unfortunate possessor. It was now that the emperor Frederick, a prince in many respects superior to the age in which he lived, was seized with the fashionable phrenzy of reconquering the Holy Land. The origin, and conduct of those enthusiastic enterprizes, so celebrated among the crimes and follies of mankind, under the title of CRUSADES, come not within the limits of our plan, and have besides been so accurately described by the ablest writers, that all further comment is unnecessary. Suffice it then to add, that there is no
error

error in human politics, more calculated to awaken reflection in a mind, which is accustomed to search for lessons of experience in the historic page. The triumph of superstition was never more complete. The effects of imprudence were never more conspicuous. The malady became epidemical. Every thing concurred to spread it. Religious enthusiasm; and the love of fame, the leading passions of a barbaric age, acted with resistless impulse upon a people, whose ideas were unrefined by study, and who regarded personal courage as the type of every virtue. Even the prudent Bertold was not proof against the temptation. We find him mentioned with applause, by contemporary authors, among the followers of Barbarossa, both on account of his bravery and his devotion. Such

indeed was the reputation he acquired, that 1198. upon the death of Henry the sixth, who survived his father but a few years, he received an offer of the imperial crown. But he had the prudence to discern, that weakness, in an elevated station, is perhaps the most humiliating lot to which human vanity can be exposed. Thus he continued, in a less exalted sphere, to consecrate his days to the happiness of those, whom Providence had more immediately placed under his protecting care. If a life continually devoted to their welfare had any claim upon the gratitude of mankind, Bertold might have thought himself

secure. But the malevolence of his enemies pursued him with unrelenting vengeance, and struck a fatal blow to his domestic repose. His 1218. two sons were carried off by poison, nor did their step-mother escape the suspicion of having been privy to the crime.

After his death, for he left no issue, his dominions were divided among the collateral branches of his family. Ulric of Kyburg, who married his sister, succeeded to the government of Burgundy. His possessions in Suabia devolved to the counts of Teck, and Howenrach; while the Brisgau fell to the House of Baden. But the prefecture of Zurich remained vacant for a long time, on account of the troubles which prevailed in the empire.

The year, in which the House of Zaringen became extinct, was distinguished by the birth of Rodolphus of Hapsbourg—a prince remarkable upon many accounts, but more particularly so as being the founder of Austrian greatness.

CHAP. IV.

View of Society during the thirteenth Century—Corruption of the Clergy—Monastic Institutions—Literature—Imperial Prerogatives—Commerce—The People emerge from Obscurity—Internal State of Helvetia—Religious Foundations—Power and Oppression of the Nobility.

AS we are now approaching fast to an epoch, which is by far the most important of any in the annals of Switzerland, it may not be improper to pause a while, that we may take a more minute view of it's internal situation, and thus be enabled, with greater facility, to follow the subsequent revolution through all it's various details. Nor will it be easy to separate the interests of Helvetia from those of Germany. The connection between the two countries is henceforth too intimate for them to be considered apart.

For some time indeed, previous to the accession of Rodolphus, the internal troubles of Germany had been sufficient to occupy all the attention of the

the most active mind. The imperial crown was become a burden that left the wearer but little leisure for extrinsical objects. Yet Helvetia appears to have enjoyed, during the greater part of this disastrous period, a very considerable degree of domestic tranquillity, and to have wisely employed it in such establishments as might best conduce to her permanent advantage.

The pretensions of the house of Suabia had been annihilated by a treaty, made in 1081, with Bertold of Zaringen. And since that period a spirit of independance had spread so rapidly over the greater part of Suabia, that the dukes found ample employment at home, without interfering in the concerns of any foreign power,

Europe was besides, at this time, convulsed with the solution of two grand political questions, in the agitation of which every malignant passion of the human mind was displayed in it's fullest force. In the first, all the princes of Christendom were individually concerned; since it regarded a subject of no less moment than the pre-eminence of the clergy in temporal, as well as in spiritual affairs. The second was scarcely less important, as it related to the degree of allegiance which was due from a vassal to his lord.

But

But in order to form a clearer idea of the objects before us, it will be requisite to take a general survey of the state of religion, from the conversion of Clovis, to the accession of the house of Hapsbourg; an enquiry we have purposely reserved for the present moment. Great as was the influence of the clergy under the successors of Constantine, it by no means appears to have been diminished by the conquests of the barbarians. For religion, and it's priests were the only objects capable of infusing respect into the harsh bosoms of those ferocious chiefs. The clergy were the defenders and advocates of the people with their new masters. And such was their success in this honorable mission, that they became objects of universal respect, and obtained an entire ascendant over the public mind. The barbarians wanted not the penetration to discover that an apparent reverence for the ecclesiastical profession was absolutely necessary to gain the confidence of their new subjects. Prelates were in consequence raised to the first civil dignities, and were entrusted with offices of the highest importance, even under princes who had not as yet embraced the Christian faith. The great consideration, in which they were held by those of the same persuasion, may be collected from an edict, made by Clotaire in 560, which enacts that in case any magistrate should be guilty of an injustice in the execution of his office, *the bishop*, in case

case of the king's absence, shall take cognizance of the affair, and after due investigation, should punish the judge, if criminal, and repair the injury he had committed.

Another source of power, and no indifferent one in the hands of worldly cunning, was the education of princes, which seems to have been left almost exclusively to the clergy, as the only men in any degree qualified for so arduous a task. Hence the mitre became, in a short time, an object of universal ambition. Every other prospect was abandoned for the ecclesiastical habit, which was justly regarded as the surest road to greatness. Interdicts, and excommunications, those potent weapons which were originally committed to the discretion of the church, for the chastisement of impenitent guilt, were soon converted to a different use, and employed for the persecution of those who dared to resist it's wild and chimerical views of unlimited empire.

Chilperic, led astray by the misguided fervor of a contracted mind, ordained that persons under sentence of excommunication, should not only be condemned to *eternal perdition in the world to come*, but even in this should be excluded from the presence of the Lord's vicegerent, and should besides forfeit all personal property. Little did he imagine, poor, blind enthusiast !

enthusiast! that he was barbing an arrow for the breast of royalty!

The riches of the clergy were immense, and were daily augmenting. Princes and people were equally prodigal, and equally inconsiderate, in their donations to the church. Indeed such was the mistaken charity of the age, that whatever was bestowed upon the clergy was supposed to be given to the poor. Wide, however, was the difference, as experience fatally evinced. For while the dainty prelate was revelling in ostentatious luxury, it was no uncommon thing for Lazarus to petition in vain for the offal crumbs, which fell from his delicate board.

The venality of the catholic religion was another, and a most copious, source of accumulating wealth. The mercy of heaven was taxed, and crimes of every magnitude were blotted from the book of justice by the mercenary prayers of an interested fraternity. It would perhaps be no exaggeration to assert, that this scandalous traffic was carried to such lengths, and proved so lucrative, that the rich were rather encouraged, than restrained in their career of guilt, that their contributions, which were usually in proportion to the ability of the offender, might replenish the coffers of that indulgent mother, into whose bosom the contrite penitent

tent was again to be received. So abundant too was the credulity of the age, that Fredigunde thus address the assassins whom she had hired to murder her brother-in-law, Sigebert. “If you return successful (said she), I will raise you and your children to the highest dignities;* but should you fall in the attempt, I will order abundant masses for your souls.” Never was there a more ingenious device for temporal aggrandisement than this artful system of religious *swindling*,—for in truth, it deserves no better name.

Of the immense wealth of the clergy we may form some idea from a memorable edict of Louis (*le debonaire*) in 816, in which he terms those monasteries *moderately endowed*, which possessed from one thousand, to two thousand peasants—those who had above three thousand, he calls *rich*. Before the time of Charlemagne, the clergy preached with zeal, a fact which will be easily credited, the necessity of paying tithes, in conformity to the precepts of the scripture. He added the imperial fiat to the exhortations of the church, and we leave to the discernment of our readers to determine, which was likely to prove most efficacious. The tithes, indeed, were by him divided into three classes, each of which was appropriated to its pe-

* *Gesta Franc.* c. xxxii. p. 712. Si corrucritis, ego pro vobis clemofinas multas per loca sanctorum distribuam.

cular use. The first was destined for repairing, or building religious edifices. The second was set apart for the relief of the poor. The third only was allotted for the maintenance of the clergy. But in a short time, the representative was mistaken for the thing represented, and the poor were totally forgotten. So that the whole flowed, in a golden stream, into the coffers of the church.

A nation, or body of men, are seldom remarkable for virtue, when they are remarkable for wealth. Both in public and private life corruption is the usual concomitant of plenty ; and it would perhaps be difficult to find a more exact criterion, whereby to judge of the morals of any people, than their situation with respect to riches. Even the pure precepts of the gospel were inadequate to preserve it's immediate teachers from the general contagion. The pride and ostentation of the court of Rome became at length proverbial. Luxury, refinement, and dissoluteness of manners, were perhaps never carried to a greater excess than under the brilliant pontificate of Leo the tenth.

But confession and absolution appear to us to have been the master-keys of Roman policy. Whatever may have been their objects in the early days of Christianity, they have since been employed to such abusive purposes, as ought henceforth

forth to exclude them from every well-regulated state. Indeed we do not hesitate to affirm, that they are the most efficacious engines which credulity ever entrusted to the direction of craft, and have furnished their dispensers with the only thing which Archimedes wanted—A POWER TO MOVE THE WORLD.

The personal immunities of the clergy were of a nature to encourage pride, and licentiousness. By a rescript of Charlemagne, no tribunal was competent to take cognisance of any cause in which an ecclesiastic was implicated, without the previous consent of his metropolitan. It was at the same time ordained, that in case of any dispute between a priest, and a laic, it should be referred to the joint decision of the count and bishop ; but in case of culpability on the part of the priest, the punishment should be entirely left to the latter.

The right of sanctuary was another enormous abuse originating in the ignorance of the darkest times. In the language of holy writ, it *converted the house of God into a den of thieves*. Charlemagne possessed too much penetration not to discern the atrocious folly of such a claim ; but still he wanted the spirit to abolish it. And hoped to reconcile his own ideas of justice with the religious prejudices of the age, by forbidding his subjects to furnish

nish a murderer with the necessaries of life, though he at the same time declared it unlawful to drag him from his asylum. Chilperic, when his son had taken refuge in the cathedral, at Tours, wrote to Gregory in the following terms—"Give me up the rebel, or I will lay waste the adjacent country with fire and the sword. The bishop replied, "Is it possible for a Christian to commit an act, at which the boldest heathen would tremble?" Chilperic, terrified at the reproach of sacrilege, caused a letter to be laid upon the tomb of St. Martin, in which he demanded permission to take away his son by force. Near it was placed a blank sheet of paper, in order that the holy martyr might have no excuse for silence. The precaution however proved vain, for nothing could induce the saint to make use of it. The king at last lost all patience, and gave up his patrimony to pillage, wisely preferring a controversy with the dead to a dispute with the living.

In the first institution of Christianity the protection of the sovereign was indispensably necessary to the safety and well-being of every religious establishment. The behavior of the clergy was regulated in consequence. Meek, humble, and submissive, they studiously avoided all subjects of controversy with those on whom they depended for support. Too extravagant pretensions might

have disgusted their patrons. The prodigality of the sovereign princes to the church proves how well they understood their own interest; and the arrogance, which arose from prosperity, shews that this moderation was not entirely the effect of Christian humility, or of an indifference to the affairs of this world. It is not easy to ascertain the precise era when bishops were first established in France and Germany. In Rætia we read of them in very early times, at Trent, Windisch, and Coire. The see of Constance dates from the reign of Clotaire the first. Scotland and Ireland (which have been sometimes confounded by the early writers under the name of Hibernia), seem to have been the grand store-houses from which numerous bodies of missionaries were continually dispersing themselves over the rest of Europe.* Among the most zealous apostles of Christianity we may place Bonifacius; and from his account of the state of religion in Germany, some idea may be formed of the general corruption which prevailed. "There are not wanting priests," says he, "who are so regardless of all religions, that they baptise one day in the name of the Holy Trinity, and, on the next, offer sacrifices to the divinities of Pa-

* The Scotch have always been inclined to migration. The cause of this locomotive disposition we leave to the reader to determine.

“ganism; or, in other words, are perfectly indifferent to the ceremony, provided they are paid for performing it.” This censure is, in some measure, confirmed by an observation of Mabilon, who met with several inscriptions at Rome, in which the *dii manes* and the *holy spirit* were strangely coupled to the extreme scandal of the orthodox father. Among a rude people, like the early Germans, ignorance might be pleaded for an excuse; but to see the throne of infallibility surrounded by such abominable heresies, was an offence too heinous to admit of palliation. So deeply too had this passion for Pagan ceremonies taken root, that Bonifacius fairly owns that he could never succeed in persuading his disciples that sacrifices were criminal, provided they were offered to a saint, or in the vicinity of a Christian temple. The following passage, where he breaks out in a pathetic exclamation upon the degraded state of the church, is worthy attention. “All religion, “he asserts, has been entirely overthrown for these “last sixty or seventy years. The highest ecclesiastical dignities are in the hands either of interested laics, or of licentious priests, whose conduct is a disgrace to their profession; and whose “only object is lucre. The inferior clergy live in “a state of shameless profligacy, many of them “keeping four or five concubines, to the scandal “of all true believers. Notwithstanding which,

“ they have the effrontery to preach the gospel in public, and are raised to the episcopal honors. Their habits of life become then still more corrupt, chastity is derided, temperance unknown. While drunkenness, debauchery, and hunting are their sole occupations. Nor is it by any means an uncommon thing to see them take the field in person, and shed the blood of their fellow creatures, with the same hands with which they administer the holy sacrament.”

Of the general state of society we may form some idea from Regino's account of the questions usually put by a confessor to his penitent. He was first to enquire if he had *committed murder*; secondly, if he had *cut off the hands, or feet, or put out the eyes of any one*; thirdly, if he had been *guilty of perjury*; fourthly, if he was *an adulterer*. When a female approached the confessional, she was to be asked, if she had *killed her bastard child*; if she had ever had *recourse to enchantments, or employed amulets, or any other species of magic to excite the passions of love or hatred, in the breasts of her fellow creatures*—What a picture of savage ignorance have we here?

We have already observed that the penances usually imposed were of a pecuniary nature, and afforded an abundant source of revenue. But among the various devices which artifice has contrived

trived for the plunder of credulity, none was more ingeniously conceived, or proved more successful in the experiment, than the idea of purgatory. So long as an opinion prevailed, that offences, however heinous, could be expiated by the supplications of the pious, and that the punishment which men were destined to suffer would be in an inverse ratio to the number and fervency of the prayers, which were offered for their salvation, nothing could be more natural, than for rude warriors, whose life had been passed in a continual violation of every precept of gospel charity, to endeavor upon their death-beds to compound with heaven, and to purchase paradise by a holy fraud against their nearest posterity. This belief once established, its success was undoubted. Every principle of family attachment, and parental affection was sacrificed at the shrine of self-interest. The dread of eternal sufferings very naturally got the better of every other consideration, while the dying man regarded the temporary distress of his nearest earthly connections as trifling indeed, when compared with his own eternal welfare.

The reign of Charlemagne forms a memorable epocha in the history of the church. The successors of Leo were too politic to overlook, and too ambitious to neglect, the inferences which might be drawn from the coronation of an emperor by

the hands of a pope. A similar action would have been easily accounted for, from the greater part of those illustrious personages, who have succeeded each other upon the thrones of the earth, and whose names would long since have been consigned to the oblivion they merit, had not chronology preserved them for no other purpose but to prevent a chasm in the chain of dates. Vanity, caprice, or folly, would have furnished a very satisfactory explanation: but when we contemplate the memory of Charlemagne, ideas of prudence, magnanimity, and wisdom crowd upon the mind, we are naturally led to examine the reasons by which he was influenced, and are induced to suppose that no action of his life was devoid of a rational motive. By the right of conquest, or by hereditary succession, he was already in possession of France and Germany, and the northern parts of Italy. Even Rome itself was in great measure subject to his jurisdiction, under the title of *Patri-
cian*.* Nothing can be more certain than that,
for

* Leo per legatos suos regi misit, rogavitque ut aliquem de suis optimatibus Romam mitteret, qui populum Romanum ad suam *fidem*, atque *subjectionem* per sacramenta firmaret. *Annal. Laurens.* ad ann. 796. Cenni, who is a strenuous advocate for the see of Rome, affects to question the authenticity of this document, and pretends that the date has been altered, but that it refers to a time when Charlemagne was already in possession of the imperial crown. But a letter from Charles to Leo, upon
his

for a considerable time he exercised the highest judicial authority there, either personally, or by representative. Gregory the fourth appealed to him against a decree of his prefect, by which appeal he virtually acknowledged him for a superior. It would be an insult to the memory of so great a man, to suppose that he could be influenced by the paltry vanity of a title. The decorations, and distinctions of worldly greatness are the rocks on which weak and vulgar minds are wont to split. But Charlemagne was cast by nature in a different mould. The conscious dignity of virtue was the only pre-eminence to which a soul like his could aspire.

That the imperial rescripts, were *usually* sanctioned by the consent of the pope, before they obtained the force of laws, is a point, upon which the advocates of the court of Rome have laid the greatest stress. The fact is in *general* as they represent it, and yet, in our opinion, it is not of the smallest service to their cause. The assent of the popes seems to have been little more than a mere

his elevation to the papal chair, puts the matter beyond all doubt—To his assurances of fidelity and obedience he replies in the following terms: “ Valde gavisi sumus seu in electionis
“ unanimitate, seu in *humilitatis vestrae obedientia*, & in promissionis in nos *fidelitate*. Epist. Caroli in P. Lambec. Comment. de biblio. Cæs. Edid. Koll. t. i. p. 552.

formality; nor does it appear that the imperial ordinances would have been in the least invalidated though it should have been withheld. Indeed, they themselves were so fully sensible of the inefficacy of all resistance, that they were unwilling gratuitously to commit their authority by a weak and ineffectual opposition. Yet instances are not wanting in which they pursued a different line of conduct. Some too, in which an enquiry was instituted, by command of the emperor, into the government of the reigning pontiff. The following extract of a letter from Leo to the emperor Lewis is still preserved—"If we have done any thing *displeasing to you, or contrary to law*, we are ready to amend it, according to *your directions*, or to those of your *representative*."* In the sequel, we find both Stephen the fourth, and Pascal, sending an embassy to acquaint Lewis with their election. In the reign of Lothaire, the Romans promised never more to consecrate a pope, till he had taken the accustomed oaths in presence of the emperor, or of his delegate. Thus we find that Gregory the sixth waited the arrival of an imperial minister, who

* Nos si incompetenter aliquid egimus, et in subditis justæ legis tramitem non conservavimus, *vestro ac missorum vestrorum cuncta volumus emendare iudicio*. Quoniam si nos, qui aliena debemus corrigere peccata, pejora committimus, certe non veritatis discipuli, sed quod dolentes dicimus, erimus præ ceteris, erroris magistri, &c.

was sent to examine into the validity of his election, before he ventured to assume the papal crown. The same usage appears to have continued in force till the time of Charles *le gros* ; when the imperial influence in Italy began rapidly to decline. John the eighth seems to have been the first who openly and avowedly pretended to an independant power, asserting, that he derived it from the bounty of Constantine, while he passed over in contemptuous silence the lavish piety of the Carlovingian race. Thus little by little did the triple crown shake off all subordination to the imperial throne, and rise upon the ruins of the degraded eagle ;* till in process of time the pride and arrogance of the pontiffs arrived at such an enormous height, that they assumed the privilege of disposing of the empire, and founded their plea upon the coronation of Charlemagne. That the authority of the church was paramount to all temporal jurisdiction was a position which the slavish bigotry of those dark ages no longer presumed to question ; and on the solution of it depended the pre-eminence of the papal see.

We have already seen that Boson, king of Burgundy, was the first of the great vassals of France,

* Lewis the second alighted at the approach of Pope Nicolas, and led his mule, by the bridle, on foot.

who

who threw off the yoke, and erected his government into an independant kingdom. The French princes, alarmed at so dangerous a precedent, bound their subjects by a particular oath to join them in opposing the usurper. Upon this, John the eighth, who then filled the papal chair, wrote in the following words to Charles *le gras*. "I have adopted the magnanimous Boson, as a son of the church. Rest satisfied therefore with the confines of your own dominions, and exert yourself in preserving the public tranquillity. For whoever shall presume to trouble the child of our election shall be instantly excommunicated."

The insolence of papal pride grew daily greater. Nicholas the first wrote to Stephen, count of Auvergne, "We have been made acquainted with your profligate and ungodly way of life, and by our *apostolical authority* we command you to appear before our legate, who has received instructions to examine into the truth of these allegations, &c".

A thousand instances of a similar nature might be found, were they necessary for our purpose. But the proofs we have already adduced are amply sufficient to establish the dependance of the see of Rome upon the imperial throne, which is the only object we have in view. Having had occasion,

sion, in the course of our narrative, to advert to the celebrated quarrel between the mitre and the crown, we thought it necessary to put the reader in possession of some *data*, by which he might be enabled to form an adequate judgment of that ever memorable dispute: which though not immediately connected with the history of Helvetia, can never be misplaced in any work, which treats of the concerns of Europe during that disastrous period of anarchy, and usurpation. Besides, every question, which is connected with the catholic religion, and which can serve to elucidate it's principles, is perhaps particularly applicable to a time, when men in general seem inclined to judge of the church of Rome, rather from the moderation of individuals, than from the established and fundamental tenets of it's faith. The one is variable and fluctuating as the tide of fortune; the other fixed and immutable, and worked into the original edifice, from which they can never be separated but in their general wreck. Sophistry may palliate, or dissimulation conceal the real object it has in view. Situations too may suggest the necessity of a temporary silence, or interest dictate an apparent renunciation. But while there shall exist a power in which the right of dispensing with the most solemn promises resides, upon what are we to establish the basis of our confidence? The proud dominion of Gregory the seventh is not forgotten.

It

It lives in the humble cell of the monastic mendicant, and under the meanest habits which affected humility can assume. Were we to restore to the triple crown it's faded honors, we should once more behold the same arrogant claims renewed. Another Hildebrand might again assume all the prerogatives of omnipotence, and hurl down his thunders, like the heathen Jove, with promiscuous fury, on the astonished world.

Monastic institutions had found their way into France, during the reign of Clovis—that is, immediately after the conversion of the Gauls. Having said thus much, it may not prove unacceptable to our readers to meet with a short sketch of the origin and progress of a profession, which obtained such extensive influence over society, and which, in one of it's diverging branches, bid fair to usurp an unlimited empire over the consciences and opinions of mankind. Monachism was the offspring of Egyptian enthusiasm, from whence it spread, in a short time, over the whole eastern world. The warm sun of Africa, and the heated imaginations of it's inhabitants, were peculiarly favorable to it's growth. But like other productions of the earth, when removed from their native spot, it soon assumed a different character, according to the influence of the soil, and climate, into which it was transplanted. In the southern provinces of Europe

rope it maintained something of it's characteristic qualities, but in proportion as it migrated towards the frozen regions of the north, it seemed gradually to decline from it's primitive purity.* The serious, and reflecting character of the Egyptians formed so strong a contrast with Gallic levity, that it was scarcely possible for the same regulations to amalgamate with both.

Indeed, if we examine the religious ceremonies of the ancients, with a critical eye, we may easily discern, that they were almost exclusively calculated for the modes and habits of the particular people, for whom they were originally intended. Even the Mosaic code was of this description, and was evidently designed for the inhabitants of a warm climate. It is the peculiar, and appropriate distinction of Christianity, that it is free from all local tenets, and is founded upon so extensive a plan, that it ~~adopts~~ *adapts* itself to every age, and country, and embraces all the sons of

* This remark may possibly, at first sight be deemed paradoxical. It may be urged, that the cold climates of northern Europe, are less repugnant to a system of celibacy, than the scorching suns of the south. But it must be remembered, that an institution which is diametrically contrary to the strongest instincts of nature, requires a more than common degree of enthusiastic energy for it's support. Among us, the imagination is not sufficiently exalted for so refined a system of chimerical perfection. We go to Heaven in a more rational way.

men

men in one great and comprehensive scheme. Yet applicable as this observation may be to the general doctrines of the gospel, considered as a perfect system of morality, it is by no means equally so to the various sects which, in the succession of eighteen centuries, have sprung from that source of truth. In proof of this observation, we must beg leave to recall to the reader's attention, that vast variety of reforms which have succeeded each other in most of the religious orders; and which may be ascribed as much to the confined views of the original founders, as to any love of novelty, or desire of celebrity, on the part of the innovators.

In the sixth century, St. Benedict instituted his celebrated order, which soon became so fashionable, on account of the popularity of its patron, that monasteries were built in every country in Europe. Soon after their first appearance, the monks grew into the highest estimation with all persons of exemplary devotion, or who affected that character. Their life was regarded as more edifying, their piety as more fervent, their prayers as more efficacious, than those of the secular clergy. The advantages to be derived from this prevailing prejudice, were too manifest to be overlooked by a body of men, who in spite of all their professions

professions of disinterestedness and humility, were never inattentive to the concerns of the world.

Yet notwithstanding the general prepossession which exists against the monastic life, it is but common justice to acknowledge, that the literary world has no trifling obligation to it's members. Many of the most brilliant productions of human wit, would have irretrievably perished in the confusion of the lower ages, had they not been preserved amid the learned lumber of a cloister. True it is, that the devout fathers were, for the most part, ignorant of the treasures they possessed; and would have probably preferred the dullest treatise upon theology to all the collective genius of the Augustan age. Yet still, as the guardians of literature, they merit some indulgence.

Schools too were established in many of the most opulent monasteries—particularly at Fulda, Corbey, and St. Gall. Libraries too became an object of vanity; while convent contended with convent, in an honorable competition, which should procure the most copious, if not the choicest collection of books. This spirit of rivalry by degrees extended so far, that the magnificence of the copy began at length to be attended to, and in order to render it more splendid, recourse was had to painting. This accounts for the numbers

bers of illuminated missals to be met with in all monastic libraries.

Indeed, about the middle of the tenth century, a faint ray of intellectual light began to beam amidst the universal gloom. We are told, that some of the monks of St. Gall, one of the most wealthy monasteries in Helvetia, were distinguished for their knowledge of the Greek and Latin languages, and that they had sufficient discernment to prefer the elegance of Horace, and the fire of Homer, to the dry pedantry of polemical disquisition, or the mystical jargon of theology.

Hedwig, duchess of Suabia, is mentioned by contemporary writers, not only as being the patroness of men of letters, but for possessing classical knowledge, and refined taste. Captivated by the brilliancy of his talents, and possibly still more so, by the charms of his person, she selected Eckard, a celebrated scholar of St. Gall, for the companion of her literary pursuits. With him she is said to have passed whole days in classic retirement, reading and meditating upon the productions of Attic wit, or of Roman genius. Though when we hear that a beautiful and accomplished princess abandons the world for the society of a young friend of the other sex, we cannot easily persuade ourselves

ourselves to believe, that the study of the ancients is the sole object she has in view.

Bruno, archbishop of Cologne, and brother to the emperor Otho, was remarkable for his knowledge of the Greek language. If metrical composition deserve the appellation of poetry, it prevailed in Germany in very early times in the Latin tongue. The pious Ditmar begins every book of his history in verse. Solomon, bishop of Constance, wrote several poems in Latin. But if we look for brilliant metaphors, harmonious numbers, or classical purity, in any of these productions, we shall be sadly disappointed. A few passages may perhaps be selected from the writings of the learned Gerbert, and from those of Waldron, bishop of Straßbourg, which may exempt them from this general censure. Crofwich, a nun of Gundersheim, in the tenth century, apologizes for her taste in the following manner: "There are Christians," (says she, in the preface to her sacred dramas) "*whose faults I hope are venial*, but who, on account of the elegance of the stile, prefer many of the heathen writers to the Holy Scriptures themselves. Some even read Terence with delight, and are induced, by the beauty of the language, to *pollute their eyes with such unholy things.*"

The German historian Witichind, the very first who, since the days of Charlemagne, had ventured to depart from the dry manner of the chroniclers, and to attempt something like a regular and connected narrative, appears clearly to have been acquainted with Tacitus, and to have taken his style for a model. Ditmar, bishop of Mersebourg, though continually led astray by his own visionary ideas, and the pious dreams of other enthusiasts, in some degree rewards the patience of a reader by the many curious and original anecdotes which he relates.

In the course of the following pages, we shall have occasion to refer so frequently to the imperial authority, that it may not be improper to examine into its nature and extent. Such an enquiry will enable us to form a juster opinion of the conduct of the House of Austria, in their memorable struggle with the Swiss.—Under the Saxon line, there is little doubt that the head of the empire was considered not only as the legislator, but as the chief magistrate of Germany. Wherever he came, all other authorities ceased, or at least acted in subordinate capacities. His tribunal was paramount to every other, and comprehended persons of all ranks and descriptions. Examples are not wanting to shew, that even counts and dukes have been degraded for malversation. The ancient
law

law books are filled with the decisions of the emperors in disputes between the different princes of Germany. Yet still the emperor does not appear to have acted entirely with an independant, and uncontrollable sway, but usually to have recurred to the advice of persons of the same condition, and generally of the same province with the delinquent. This was done in conformity to an ancient edict, which enacts, that *every one shall be tried by his peers, or equals*. But as it was impossible for the head of the empire to preside in different tribunals at the same time, or to transport himself to the extremities of Germany, with the promptitude which the decision of processes so frequently required, the office of *Count Palatine* was instituted. The business of this magistrate was to superintend the administration of justice in the various provinces. To him an appeal lay from the ordinary tribunals, in causes which were not of sufficient importance to be carried before the emperor in person. By him too was the *imperial ban* published, and by him were the finances administered. These officers were first established in Bavaria, Saxony, Suabia, and upon the Rhine.

But no prerogative was more valuable, and none more frequently abused, than the right of disposing of the domains of a family which was become extinct, or those of a prince, who was de-

posed by the imperial ban, Thus Conrad gave away the dutchies of Bavaria and Saxony, after he had declared Henry under the ban of the empire. Thus Frederic the second took possession of Austria, after the death of the last duke. This important prerogative was indeed a frequent source of contention, between the emperors and the princes. The former naturally wishing to appropriate the confiscated territory, to the aggrandisement of their own family, while the latter contended that it ought to be converted into an imperial fief.

During the reign of Henry the first, a remarkable change took place in the political situation of Germany. The great number of towns and cities which were built in all parts of that extensive country, in imitation of the laudable example he had himself given in Saxony, called forth a new class of men, viz. that of the *burghers*. Henry's great object was to encourage traffic, and by it to increase the comforts of his people. For though it may justly become a question with the philosopher, whether commerce may not, in some cases, be pushed too far; yet no one, we believe, will hesitate to admit, that there are very few instances in the annals of the world, where a nation can be supposed to have suffered from such a cause.

Ditmar

Ditmar informs us, that eleven cities were built between Mersebourg and Magdebourg. We may hence infer, what kind of cities they must have been. Many of those, mentioned under this pompous title, are now dwindled into insignificant villages, or have entirely disappeared from the face of the earth. From an accurate inquiry into the internal state of these newly-erected towns, it appears, that they were in general dependant upon the lord, in whose territory they were built; from whom their franchises were derived. But as the principal objects of the founder must naturally have been to procure inhabitants, it was essential to attach some peculiar privileges to the character of *burgher*, by which it might be distinguished from the abject condition of *peasant*.

Hitherto, the *people* had been treated as a mere cypher in political arithmetic. But no sooner did the clergy and nobles appeal to the sword, in support of their respective usurpations, than they began to consider their vassals as capable of throwing some weight into either scale. Till then they had been attached, like stock, to the glebe they cultivated, and valued only in proportion to the labor they were able to perform. But both parties at length discovered that the heart of man, however abject his condition, was composed of the same materials—that it was awakened by benevolence

to a sense of gratitude ; that it was stimulated by oppression to a sentiment of revenge.

The frequent intercourse with Italy too had contributed, in no small degree, to improve the municipal government of the German towns. The Germans were struck with the manifest superiority of the Italians in every refinement of polished life. In Italy, the burghers had long been divided into *trades*, or *fraternities*. The same system was adopted by most of the commercial cities on their side the Alps. Each of these companies had it's distinctive banner, and was marshalled under it's respective officers. No sooner did the alarm bell sound, than they ran to arms, and appeared at the appointed spot in array of battle,

The discovery of the mines, in the mountains of Hartz, during the reign of Otho the first, proved a fortunate incentive to national industry. The mechanic arts were henceforth cultivated with success. Artists of every description found materials to exercise their ingenuity, and to display their talents. We are informed, that a small equestrian figure of Henry the first was placed in the church of Mauerkirchen, in Bavaria, in the year 948 ; which, should Aventin be correct as to dates, is probably the oldest specimen of sculpture existing in all Germany.

It

It is natural to expect that so considerable a change in the physical position of the Germans, should have occasioned one equally striking in their moral character. We may in consequence discover, in most of the trading cities, and in the capitals of the different sovereigns, a very remarkable alteration in the habits of life. The pious Ditmar was alarmed at the progress of vice, and pathetically laments it. Speaking of Otho the first, he says, "In those happy days, the courtiers resembled their master. Frugality presided at their entertainments. The golden mean was their constant guide. With them every species of virtue flourished; and with them died."* What would the good man say, could he take a view of the present state of society! So true it is that luxury is merely relative, and must, from the necessary course of human affairs, keep pace with national improvement. In another part of his work he breaks out in invectives against the expence of female dress. "Our women," he observes, "are no longer satisfied with that decent simplicity, which was the characteristic of a German matron. To please the eyes of a lover, or to captivate the admiration of the public, is now their

* Sicut dominus, sic et principes ejus fuerunt. Non eos ciborum, seu aliarum rerum superflua varietas, sed in cunctis delectabat aurea mediocritas. Omnes, quæ leguntur, virtutes his degentibus floruerunt, his obcuntibus marcefferunt. *Ditmar.*

“only object.” When we contemplate, in some of the ancient paintings, the modes of dress, which then prevailed, we can hardly persuade ourselves that the pious bishop was serious in his charge ; so mistaken were the ladies in the means they employed.

From the lamentations of this devout prelate, we might however be induced to suspect that something like polished manners might be traced in the intercourse between the higher orders of society, did he not, by another anecdote, convince us, that the refinement at which he is so highly offended, would scarcely pass under that title at the court of Abyssinia. At a splendid entertainment, given in Saxony, during the reign of Otho the third, the sisters of that monarch were just set down to dinner, when the margrave of Meissen, the duke of Saxony, and the bishop of Halberstadt, entered the room with the voracious appetite of hunters, and in a few minutes devoured all the provisions which were upon the table, very gallantly leaving the princesses without any thing to eat.*

Towards the time of Rodolphus, a love of pomp, and a taste for splendor, prevailed almost univer-

* Ditmar, p. 365.

fally among all the princes of Europe. Every thing was sacrificed to this predominant passion. The revenues of several years were wasted in preparations for a single tournament. We are informed that at a diet, held at Mentz, in 1182, when prince Henry received the honor of knight-hood, the quantity of provisions consumed exceeded all belief. Of the numbers who attended, we may form some idea, when we hear that the archbishop of Cologne appeared at the head of four thousand six hundred horse.

After apologizing for this long digression, which we cannot persuade ourselves to think entirely misplaced, we shall now return to our intended survey of the political state of Switzerland. We are at first sight struck with the predominant influence of the clergy. The prodigal piety of preceding ages had enriched the church to such a degree, that there were very few spots, which were totally exempt from their jurisdiction or claims. But from the continual increase of property, it had become necessary for the ecclesiastics to entrust the administration of the far greater part of their possessions to a *bailiff* or *advocate*; an office of considerable importance, and one to which we shall frequently have occasion to advert in the course of the following pages. To ascertain the exact prerogatives of this high situation would be no easy task.

task. Indeed they appear to have been, in great measure, regulated by the rank and consequence of the person, by whom it was exercised. This charge, in its origin, was indisputably personal; when the possessor was little more than an *agent*, or *steward*, to administer the revenues of the bishoprick, or monastery. But in process of time, it was converted into an hereditary dignity, while its authority was daily extending, till it eventually became an office of the highest consideration, and was filled by persons of the first eminence.

The bishops of Bâle, Constance, and Laufanne, held a very distinguished rank among the princes of Helvetia. Their power was extensive, but does not appear upon all occasions to have been employed for the maintenance of order, or morality. Innocent the second, in a letter to the bishop of Laufanne, complains of the general corruption of manners which prevailed throughout his diocese. "Murders are daily committed," says the indignant pontiff, "and women violated, even in the public streets, with impunity." Let it not, however, be supposed that this defect of energy proceeded from the weakness of the episcopal arm. The authority of these haughty prelates was erected upon a more solid foundation than that of opinion. They were usually attended by a numerous train of dependants, any of whom
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were, at all times, ready to execute their commands, with the most blind and abject submission, without ever examining into the motives by which they were dictated. We shall leave to the laborious antiquary the ungrateful task of determining the precise period, when these several sees were first established. That the Christian religion had obtained a very early footing in Helvetia, may be inferred from the ancient legends ; but every thing previous to the reign of Gundioch is involved in such impervious darkness, that all inquiry is at best uncertain.

The see of Coire is said, in legendary story, to have been founded by the son of a British monarch, to whom the name of Lucius is given—and we in reality find the most ancient church in this city dedicated to St. Lucius.

The bishoprick of Sion dates from the earliest times. The importance of it's situation as a military post, induced Charlemagne to augment it's revenues by considerable donations ; as he thought he had less to apprehend from the ambition of the church, than from that of the restless and high spirited barons.

We have already had occasion to mention the numerous religious foundations, which sprung
from

from the ill-directed devotion of an unenlightened age. Many of these have been attributed, by the early writers, to the missionary zeal of the Irish. For the proofs of this assertion, we must refer the reader to the monkish historians, from whom, to reward his patience, he will learn that Columban, and Gallus, in company with several other godly personages, migrated from their native morasses to diffuse the light of the gospel among the inhabitants of the Alps. Sigebert, who was one of this devout troop, having penetrated into the uncultivated vallies of Rhætia, fixed his habitation, in a sequestered spot, near the source of the Rhine; where having gained an ascendancy over the rude minds of the natives, by the fervor of his eloquence, and the austerity of his manners, he at length founded the abbey of Disentis, which was successively endowed by pious princes, and in particular by the empress Cunigonde, the wife of Henry the second.

The fervid devotion, and active benevolence of Gallus gave celebrity to a romantic spot near the lake of Constance, upon which, some years after his death, and in honor of his memory, arose the magnificent abbey of St. Gall. Few foundations in Europe have done more towards the preservation of literature. Its library was a repository, in which the works of Quintilian, the history

tory of Ammianus, and Cicero's book on the laws, escaped the destructive depredation of ignorance, and bigotry, whose ravages are often more fatal, in an intellectual point of view, than the march of a barbarian army. From it's schools, as from a general center, the light of reason burst over the surrounding provinces of Helvetia, and contributed essentially to the revival of letters.

But among the religious institutions of Helvetia, superstition had attributed an ideal sanctity to that of Einsiedlen, which gave it an undisputed pre-eminence over the rest. The founder of this celebrated monastery was Meinrad, the only son of Bertold, count of Hohenzollern. Born to the fairest prospects of earthly felicity, educated in the lap of affluence, and endowed by nature with every gift which can adorn the highest station, the flattering promise of his ripening years was on a sudden blasted. Deceived in the object of his tenderest affection, and betrayed by the friend in whom his generous soul had placed the most unbounded confidence, he abandoned the world in the very bloom of life. His heated imagination took a different direction. The enthusiasm of religion succeeded to that of love. Every spot that bore any vestige of human improvement became hateful to him, for it recalled to his recollection the perfidy of man. The gloomy solitude of Mount Etzel was more congenial

congenial to his wishes. He there constructed a hut of roots and moss, and spent the day in prayer and meditation, the restless night in tears. A pious matron, of the town of Altorf, having discovered his retreat, caused a small, but more commodious cell to be erected, with an adjoining chapel. To this he removed, and inhabited it during seven years, an object of veneration to the surrounding country. Crowds of pilgrims flocked daily to his cell, the unhappy receiving comfort from his exhortations, the profligate being converted by his admonitions, the penitent deriving courage from his prayers. Fatigued, at length, by the incessant interruptions which withdrew his soul from contemplation, he departed in secret, to a sequestered forest, near the present convent of Einsiedlen, where, at a distance from the haunts of men, he once more abandoned himself to solitude and devotion. The abbess of a neighboring convent, on the lake of Zurich, was no sooner made acquainted with the austerity of his life, than she prevailed upon him to permit her to supply the place of his benefactress of Altorf. A chapel was erected on the site of the present monastery, and dedicated, like that, to the Holy Virgin. In a contiguous cell, Meinrad lived for thirty-two years, with a reputation of perfect sanctity, when he was assassinated by a ferocious banditti. We are informed, in legendary story, that two crows, which he had educated

educated from their nest, pursued his murderers with unremitting perseverance, till by their horrid screamings they awakened their troubled consciences to such a sense of guilt, that they delivered themselves voluntarily into the hands of justice.*

The contentious spirit of the laity was another very productive source of prosperity to the church. As it was no unusual thing for men, by their liberality to some religious house, to provide for themselves a sanctuary in case of any sudden reverse of fortune. Alienations too of this kind were in general popular; monastic establishments being, for the most part, favorable to agricultural improvement; and their jurisdiction less oppressive than that of the despotic barons. Exclusively of the valuable acquisitions, which they were daily making, most of these ecclesiastical establishments had been amply endowed by their original founders. The town of Lucern, with all its dependancies, was subject to the monks of Murbach, in Alsace; while the canons of Lucerne possessed a claim to the greater part of the canton of Unterwalden. Many abbots had been decorated with the pastoral cross, and took their seats among the princes of the empire. Of this number was the abbot of St. Gall.

* Chronicle of Einsiedlen.

The influence of so numerous, and powerful a body, over every class of people, was absolute beyond belief. Nothing indeed was wanting but a more intimate union between it's different branches, for the church to have attracted every thing within it's insatiable grasp. But fortunately for Helvetia, the ambition of the clergy was not yet reduced to that regular, and systematic form, which it afterwards assumed from the example of Rome. Every religious society was at that time fully occupied in schemes of private aggrandisement. There was no uniformity in the plan, no co-operation in the attack. The Jesuits have since taught us what mighty things could have been effected in an unenlightened age.

The ascendancy of the nobles likewise, became every day more considerable. But their pride and arrogance increased in a still greater proportion. So that while they exacted the most implicit deference from all the subordinate ranks of society, they haughtily refused to acknowledge a superior.

This unsettled state of government, both in France and Germany, had been peculiarly favorable to the encroachments of ambition; while the weakness of the reigning princes was but little calculated to inspire that salutary awe, which in an
age

age of unbounded licentiousness can alone conduce to the maintenance of social order.

Such appears to have been the situation of Switzerland from the beginning of the tenth to the close of the twelfth century. In the Alamanic provinces, a permanent system of government is scarcely ever to be discerned. While the Burgundian princes, who owed their crown to the suffrage of the people, enjoyed at best but a precarious authority; and were frequently reduced to that most distressing of all situations, when no choice was left them except between the extremes of evil—humiliating condescensions, or open rebellion.

Upon these high-spirited chiefs a numerous body of inferior nobility depended; who owed this distinction, either to the office they executed, or to the fief they held. Honors too were conferred as the rewards of personal valor, and had been dispensed with a lavish hand upon those who had distinguished themselves in the *holy wars*. For it was found that recompences of this nature frequently contributed to keep alive the activity of men, whose zeal might have cooled, had it been stimulated by no other incentive than that of devotion. Thus the ideal value of a title, from being made common, sunk even in the estimation of the

undiscerning vulgar. When they beheld whole crowds of those, whom they had been taught to contemplate with an eye of reverence, destitute of every support, but what they derived from the precarious bounty of the great, they ceased to consider them as beings of a different species from themselves. Nor shall we much wonder at this change of opinion, when we are told that the ancient writers make mention of more than *twelve hundred noble families*, which flourished in Switzerland during the course of two centuries.*

It is an object of curious research to investigate the rise and progress of the three different orders, which constitute every political association. The NOBILITY, whose original is coeval with the introduction of feudal manners, derived an unbounded influence from the abuses of that barbarous system, and for a long time formed a point in the social circle, from which every thing diverged, and in which every thing centered. It is by no means our intention philosophically to analyse the wisdom of an institution, which has added a stimulus to the human mind. The fountain of honors is a stream from whence the most brilliant achievements have flowed. All the refinements of chivalry—that eccentric system of romantic virtue, which exhibits the human character in so strange,

* Stumpf.

though

though dignified, a dress—with all its splendid train of appropriate duties, which first softened down the ferocity of martial habits, and humanised the mind for familiar intercourse, are derived from the same efficient source. As the recompence of public service, dignities are dispensed with advantage. They are a cheap, and enviable distinction. It is only to be regretted that the great qualities which first merited the title, cannot always be rendered hereditary with it.

But at the period we are describing, these high-strained ideas of perfection existed no where. The despotic power of the baron arose alone from the terror he inspired. Neither was his castle the abode of hospitality, nor was his sword employed in defence of innocence. On the contrary, the affrighted peasant fled at his approach, or trembled at the bare mention of his name; while his impotent sovereign, assailed on all sides by the complaints of an outraged people, was reduced to the bitter humiliation of remaining a tranquil spectator of crimes, which his degraded authority was inadequate to control.

In this hopeless state of barbarism, another order emerged from obscurity. We have already seen in what manner the CLERGY threw aside their primitive character of humility, and arrogated to

themselves prerogatives, which are totally inconsistent with the limited faculties of man. From this arose that fatal contest between the church and state, which distracted Europe during a long period of ignorance and superstition, and made the triumph of anarchy complete. Among the most crying abuses of papal power, none has been employed with greater effect than *excommunication*. An engine, which if properly directed, and used only for the chastisement of impenitent guilt, might perhaps have been productive of the greatest benefit to the cause of morality, became the most destructive weapon that ambition ever hurled. It is curious enough to remark the gradual progress observed in the rising scale of maledictions, in proportion as those, to which the ear was already familiar, decreased in efficacy ; till we ultimately find the earthly *representative of the king of mercy* vomiting forth anathemas and execrations, against his Christian brethren, for the slightest shade in their religious opinions, which would have sounded harshly in the mouths of devils. Personal merit, or literary attainments were rarely attended to in the disposal of the higher benefices of the church, which were almost exclusively confined to the nobility. Indeed, so long as the prejudices of the age had attached the performance of military service to the possession of the first ecclesiastical dignities, it was scarcely to be expected that the mitre and

and crozier should ever find their way into a plebeian family. The inferior clergy were exempt from the burdens of war, but were bound in all the duties of *seccage* to the lord, under whom they held their lands.

The PEOPLE, as we have already observed, were daily gaining ground. Slavery is the offspring of ignorance. It cannot long subsist in an enlightened age.

At the accession of Rodolphus to the imperial throne, Helvetia was divided into a variety of little states. Among the most powerful of the independant barons were the counts of Toggenbourg and Rapperfwyl, who were masters of that remnant of the Thurgau, which was unoccupied either by the bishop of Constance, or the abbot of St. Gall. The canton of Zurich was subject to the potent families of Kyburg, and Thurgau, with the exception of the lordship of Regensberg, which reached to the very gates of Zurich, and a small district belonging to the counts of Lensberg, and the margrave of Baden. The towns of Arberg and Zofingen, with the whole western bank of the Aar, from Olten to Bibenstein, belonged to the counts of Froburg and Bucheck. In the canton of Bale, the most considerable families were those of Thierstein and Homburg. The domain of the count of Rothenberg lay contiguous to the lake of Lucerne.

Upon the extinction of the house of Zarengen, the principalities of Thun and Burgdorf had devolved to the house of Kyburg. Among the mountains of Berne we discover the lords of Willisbourg. The great possessions of the house of Neuchâtel had lately fallen between four collateral branches, viz, Neuchâtel, Arberg, Valendis, and Nidau. The town of Granson was subject to it's respective lord, The dominions of the house of Savoy extended to the southern shore of the lake of Geneva, and from thence to St. Mauritius; while on the northern extremity it comprehended the whole country between Laufanne, Morat, and Iverdun. Even so far back as the eleventh century, this ambitious family had obtained a footing in one of the finest provinces of Transjurane Burgundy. Much about the same time, the counts of Morienne had procured the investiture of the dutchy of Chablais from the emperor, Conrad the second, in which grant both Vevais and Bomon were included. The inhabitants of the lower Vallais, who were less indebted, than their neighbors, to nature for local strength, had likewise been rendered subject to the same jurisdiction.

.. But formidable as this latter power appears, it was in reality far less so than that of the house of Hapsburg. From the remotest times, that family had been in possession of the towns of Altenburg and
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and Bruck, both places of considerable strength. Hapsburg itself was built in 1013, by Radpot, an ancestor of Rodolphus, Werner, bishop of Strasbourg, who was his brother, having supplied the necessary funds. When finished, the wealthy prelate visited the castle, and having examined it with an attentive eye, observed that the magnificence of the edifice by no means corresponded with the greatness of the expence. Radpot made no reply, but immediately called out his train of dependants, which had been greatly improved, both in numbers and appearance, by the bishop's liberality; and pointing to them, exclaimed, "*It is not to the strength of our castles alone, but to the numbers, and discipline of our followers, that we must look for the future glory of our family.*"

Notwithstanding the truth of this observation, which seems to have been treasured up as a leading principle to direct his posterity in the paths of ambition, it is nevertheless remarkable that the Austrian family has been more frequently indebted to alliances, than to conquest, for their immense acquisitions.* The emperor Rodolphus inherited, in

* The fortunate alliances of Austria gave rise to the following lines :

Bella gerant fortes, tu felix Austria nube
Nam quæ Mars aliis, dat tibi regna Venus.

right of his mother, the counties of Lenzberg, Baden, and Kyburg, the town of Winterthur, with the langraviates of Zug and Thurgau. The counts of Lauffenbourg, a younger branch of the same house, possessed the towns of Seckingen, Waldshut, Lauffenbourg, and Rheinfeld. While another, but more distant relative, had succeeded the counts of Kyburg, in the principalities of Burgdorf and Thun.

The chief authority in the Grisons (the ancient Rhoetia), centered in the bishops and counts of Coire; the lords of Sargans and Werdenberg had also a considerable influence in that country.

The evident superiority of the houses of Hapsburg and Savoy over the rest of the Helvetic princes, seemed clearly to indicate that the whole of Switzerland was ultimately destined either to be divided between them, or to be swallowed up by the successful competitor, in case they should disagree in the partition of their prey. Hitherto, indeed, the attention of the latter had been particularly directed towards the plains of Lombardy; while the former had entirely confined their views to northern, or Germanic Helvetia: but the attainment of the imperial crown opened a wider field to the aspiring genius of Rodolphus, and taught him to aim at sublimer projects.

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In a country, such as we have described Helvetia, the situation of the lower orders will readily occur. No state of existence can be deemed completely wretched, so long as the mind is supported by hope; but in their case, no object presented itself even to the most sanguine, to which he could look forward with anticipated comfort. In the vicissitude of military events, they might possibly experience a change of tyrants—but a change of destiny was a blessing too great to be expected.

Still, however, there existed in Switzerland, some towns, which in quality of imperial cities, laid claim to a variety of privileges, that not only rendered their present state of existence more tolerable, but which served as a foundation for their future emancipation. Of this description were BALE, SOLEURE, BERNE, and ZURIC. Some of the lesser cantons too, notwithstanding the pretensions of the church, enjoyed under the protection of the empire, a constitution in many respects free.

Zuric was, at this time, the most considerable of the Helvetic cities, both on account of it's antiquity and of it's commerce. The ancient *Turicum* had perished by the inconsiderate fury of the Helvetii, as a prelude to their invasion of Gaul. By degrees it recovered from it's ruins, and gradually increased, till the foundation of two celebrated

brated religious houses, by attracting continual crowds of votaries, created a permanent source of augmenting wealth. Zurich was henceforth looked upon as the capital of the adjacent provinces. It was the seat where the governor fixed his residence, and where the tribunals of justice were held. The concurrence of so many favorable circumstances, no less than the advantages of its local position, invited artificers, and manufacturers from every quarter, to whose exertions, and ingenuity, this rising city was still further indebted for its subsequent splendor.

If we examine into the constitution which prevailed, during its earliest state of prosperity, we shall find the condition of Zurich to have been enviable and happy. The executive power was from the beginning lodged in a council of thirty-six members, over whom the imperial prefect presided. Twelve of these were in active situations, and remained in office for the space of four months, when they were relieved by an equal number ; so that, in the course of a year, every member, by rotation, was charged with the administration of government. The nomination to this important function was originally vested in the lady abbess, but was transferred to the burghers by Frederic the second, when he elevated Zurich to the rank of an imperial city. After the extinction of the house of Zaringen, the office of imperial governor seems entirely

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to have ceased. So that in fact Zurich had been making progressive steps towards independance, for a long time before the violence of Albert had kindled the flame of liberty. In the year 1230, a dispute having arisen between the citizens and the clergy, with respect to the payment of some territorial imposts, from which the latter claimed an exemption; parties ran so high, that the ecclesiastics proceeded to extremities, and had recourse to their usual weapons, the thunders of the church. This conduct was alarming, and might have been attended with fatal consequences, had the courage of the burghers proved less inflexible. But notwithstanding the inconveniences they experienced from a temporary suspension of all commercial intercourse, they persevered with spirit, and finally came to a resolution to banish priests of every description from their territory, unless they consented publicly to retract the interdict, and henceforth to renounce the use of so dangerous a weapon, except they were authorized by the then uncontrovertable authority of Rome.

Upon the demise of the emperor Frederic, the citizens of Zurich shook off every vestige of dependance upon the house of Swabia, and entered into an alliance with the forest cantons for their mutual defence. At the same time, by way of giving additional strength to the union, they made overtures

overtures of a very advantageous nature to the count of Regensburg, provided he would join in the league. But tempted by the hope of making himself master of the city, during the intestine commotions with which it was menaced, he rejected the offer with disdain. Disappointed, but not discouraged, they had recourse to the house of Hapsburg. The proposals were tempting, and accepted by Rodolphus without hesitation. An intimate union took place, and a combined army entered the territory of Regensburg, as the insulting treatment they had met with from the count, made too deep an impression upon the public mind, not to be resented. In a few weeks, all the fortresses, which were objects of jealousy to the rising power of Zurich, were either taken, or destroyed, and the haughty count reduced to the humiliating necessity of supplicating for peace to a people, whose friendship and alliance he had so lately scorned.

BERNE, though by no means a city of equal importance, was in possession of similar immunities. We have already been made acquainted with its origin. The spot, selected by Bertold for the site of this fortress, was in every respect calculated to secure it against surprise, in an age when military tactics were yet in their infancy. As an asylum against the oppression of the great, the unfortunate

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nate flocked thither in such crowds, that there are few instances in history, of any social combination having increased with greater rapidity. We should however form a very erroneous idea of this little state, were we to suppose it to have enjoyed either those internal comforts, or that external consideration, to which it afterwards attained under the benign auspices of liberty. On the contrary, it's powers were contracted, it's destiny was precarious. Nor was it possible for the citizens to preserve inviolate those privileges, which they owed to the generosity of the imperial crown, without the most vigilant attention. Our knowledge of the original form of government, which was established at Berne, is far from accurate, as most of the ancient records perished in a dreadful conflagration with the greater part of the town. It is however evident that it was raised to the rank of an imperial city by Frederic the second, and that from that time it was under the municipal jurisdiction of a mayor and common council. Over these magistrates the count of Ravensberg presided, in quality of imperial governor. But the office he held, was only a temporary distinction conferred upon a favorite, at whose death it ceased altogether. Indeed, so far as we are able to judge from existing documents, we may venture to pronounce that the constitution of Berne, even from it's very beginning, was in great measure

ture *aristocratical*, the magistrates being exclusively chosen from among the nobles. To them too was the direction, and conduct of all military enterprises committed. But whether this was a principle inherent in the government; or whether the emoluments of office not being as yet commensurate with it's fatigues, the duties of a public life were willingly abandoned by the lower orders of citizens, is a point we cannot take upon ourselves to decide.

The destiny of SOLEURE had still a nearer resemblance to that of Zurich; with which too it could boast an equal degree of antiquity. Destroyed by the incursions of the Huns, and Alamanni, it grew like Zurich, under the fostering wing of religion, but in a state of absolute dependance upon those religious establishments, which derived their existence from the lavish piety of Berta, the mother of Conrad. The privilege of being governed by their own municipal officers was conferred upon them by the imperial bounty; but the nomination of the mayor (or first magistrate), in whom all criminal jurisdiction centered, was reserved to the emperor, as a mark of feudal superiority. However, towards the close of the reign of Frederic the second, we find that this office became in great measure elective, though confined entirely to the higher orders. Till at length the
count

count of Bueheck, having purchased the right of nomination from the emperor Henry the seventh, made a formal surrender of it to the city.

After the destruction of Augusta, the principal city of the Rauraci, BALE seems to have been considered as the capital of that ancient province; and, at a very early period, to have been raised to the dignity of an episcopal see. Amid the ravages of the Huns, it was overwhelmed in the general ruin which accompanied their destructive march, but was rebuilt under the patronage, and probably by the aid, of the emperor Henry the second. Notwithstanding the immunities it enjoyed, as a *free city*, the liberality of the bishops appears sometimes to have prevailed over the patriotism of the burghers; for in the sequel we find them, at one time, in possession of the whole sovereign authority. The people, however, at length grew sensible of their imprudence, and struggled to regain that independance which their own supineness, and the corruption of their magistrates had so wantonly thrown away. The most violent contests ensued; during which the haughty prelates were frequently driven from the city, and obliged to take refuge in a fortress which they had built, on the opposite bank of the Rhine. It was in consequence of a dispute of this nature, that the citizens had recourse to Rodolphus of Hapsburg, for

for protection, and he was actually laying with his forces, before the episcopal castle, when he received an offer of the imperial crown.

Several towns, of inferior note, were likewise entitled to various privileges ; while the three cantons of Uri, Schwitz, and Unterwalden, had been long conspicuous for a warm attachment to every thing, which bore the resemblance of a free government. Situated in fertile vallies, in the most elevated part of Europe, the inhabitants of these delightful regions were separated from the rest of the world by a vast chain of almost inaccessible mountains, and from each other by a lake, the navigation of which is at all times perilous, on account of the sudden and frequent storms, which gather round the majestic summits of the St. Gothard. Strangers to luxury, and possessing scarcely any thing of value except their flocks, and herds, still this virtuous race of men cannot with propriety be called poor, since they knew none of those factitious wants which the refinements of society have rendered necessary to the more opulent. Their mediocrity was besides considered as a blessing, for it secured them against the invasions of despotism, and left them in the uninterrupted enjoyment of that freedom, which to their untainted minds appeared far preferable to all the pomp, and slavery of greatness. Even in these unsettled times, the
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form of their constitution bore a very strong resemblance to that, which afterwards prevailed during the most flourishing period of their history—the same general assemblies, the same municipal establishments, existed equally in both. The supreme criminal jurisdiction was indeed vested in the emperor, and by him delegated to the nearest imperial commissary, who was occasionally called upon, in cases of urgent necessity—for none resided in those peaceful vales.

In this state of seclusion, a virtuous mind might have enjoyed a degree of happiness, unknown, and unsuspected in the more boisterous scenes of active life. To the inaccessibility of their native rocks they trusted for security against all external aggression; for even when the decreasing snows opened, here and there, a practicable passage, during the few months of summer, which cleared the hoary prospect, a handful of men was able to defend the narrow defiles against opposing armies. The machinations of internal foes were alone to be apprehended. Against them they had no protection, but in the closest union among themselves, or in the support of some more powerful neighbor.

A donation, made by Otho the Great to the monastery of Einsiedlen, of some lands near the lake of Lucerne, the limits of which had never

been properly ascertained, proved a source of endless discord between the abbot and the inhabitants of Schweitz. The affair had been formerly referred to the emperor Henry the fourth, who decided in favor of the monks, but the natives, under pretence that he had been deceived by a false statement of facts, resisted the execution of the imperial decree, and kept possession of the contested territory. The friars were no less obstinate on their part, but convinced of the inefficacy of any further attempts they prudently resolved to wait for a more favorable opportunity.

1144. The pious zeal of Conrad the third seemed to promise a more propitious issue. To him they in consequence addressed themselves, and prevailed so far, that they obtained a confirmation of the former sentence, with a promise, from the emperor, of support. Elated with this momentary triumph, the haughty abbot put himself at the head of his numerous vassals, and demanded instant restitution, threatening his opponents, in case of contumacy, with the united vengeance of the empire and the church. But all was ineffectual. Neither the terror of the imperial arms, nor the thunders of Rome, could shake their constancy; for it was a principle implanted in their nature, to oppose force by force, uninfluenced by fear, and unawed by every display of power. Nor was the violence of their enemies productive of any change,

change, except to determine them at once to renounce all further dependance upon a state, to which they were so little indebted for aid, and by which they, with reason, considered themselves as so unworthily treated. Thus we may already discover strong symptoms of that unconquerable spirit which we shall hereafter find such ample cause to admire, in still more trying situations. During the whole of Conrad's reign, they continued under the imperial ban, but the only effect, of this impolitic measure, was to occasion a degree of irritation in the public mind, which no lenitives, however prudently applied, could ever entirely calm. Indeed, it was not without the greatest difficulty that they were persuaded to furnish their contingent to the emperor Frederic the first, for the Italian wars, though this prudent prince had the precaution previously to annul every obnoxious decree, and to reinstate them in their former situation. And from this time, all connection with foreign princes became an object of so much jealousy, that upon the death of Ulric, count of Lensberg, their declared patron, they came to a resolution of abolishing every vestige of dependance, and trusting alone to their internal strength for support.

Otho the fourth, who considered this open declaration of independance as an infringement of

his royal prerogative, published his intention of reducing them by force of arms, and nominated Rodolphus of Hapsburg, an ancestor of the emperor, to the office of governor; investing him with unlimited powers. While at the same time, he laid the most positive injunctions upon the neighboring states, to assist him in the recovery of his authority. Yet did no beneficial consequences ensue. Unawed by these pompous preparations, the honest mountaineers remained inflexible: while the count was obliged solemnly to promise that he would govern *according to the ancient laws, and usages of the country*, before he could prevail upon them to acknowledge his authority. And even then, he found so little reason to be pleased with his situation, that he was eager to embrace the first plausible opportunity of resigning it.

Henceforward no occasion was omitted by the forest cantons to establish their independance upon a solid basis. During the reign of Frederic the second, they took advantage of the convulsed state of the empire, to demand, from his eldest son Henry, a positive declaration, exempting them in future from the obnoxious jurisdiction of
1231. an imperial governor. The request was granted in the most ample and satisfactory manner, by a letter under this prince's own hand; in which he acknowledges them to be a free and independant

independant people, connected with the Germanic body by a voluntary association, of which they formed a part. The only thing that appeared now to be wanting, was a confirmation on the part of the emperor, and this too, was obtained a few years after. 1240.

Nothing short of this unremitting vigilance could have secured the liberties of a people, whose love of independance had rendered them an object of jealousy to most of the neighboring princes. Feeling that their own authority was built upon the precarious basis of terror, they trembled lest the example should become contagious. The nobility too were equally interested in suppressing a spirit which threatened the subversion of all feudal rights. But as their only hope of success must arise from the unanimity of their measures, a coalition was formed. The whole tribe of petty tyrants, with which Germany has at all times abounded beyond the rest of Europe, flew to arms. The cantons of Uri, and Schweitz, which had supported themselves with difficulty against their spiritual enemies, and the ill-humour of the emperor, began to tremble at a confederacy, which was big with approaching ruin. The storm was gathering fast round the summits of the encircling mountains, and threatened every moment to overwhelm

their peaceful mansions with its restless
1251. fury. Zurich, as we have already observed,
was at this time the most powerful of the
Helvetic cities, and seemed alone capable of afford-
ing any material succor. Reciprocity of interests
dictated an alliance. A league was in consequence
formed. But as the forces, they were able to
bring into the field, appeared unequal to the ar-
duous contest, prudence suggested the necessity of
looking round for a more powerful ally. Ro-
dolphus of Hapsburg, in consideration of a pro-
portionate subsidy, undertook to defend them.
Secure in the protection of so important a coad-
jutor, they resolved upon striking a decisive blow,
and to deliver themselves at once from all those
whom they had any reason to mistrust, by banish-
ing the whole order of nobles, with very few ex-
ceptions, from their territory. In this unhappy
state of exile they continued, till the elevation of
Rodolphus to the imperial throne, when by his
powerful mediation they were again permitted to
return.

In reading the history of Switzerland, we are
struck with the peculiar good fortune of the na-
tives, which at a period when most of the other
European states were groveling in the most abject
slavery, enabled them to shake off the yoke of
despotism,

despotism, and to establish a constitution, as free and happy as any the world ever beheld. Yet if we attentively examine the situation of Helvetia; at the close of the thirteenth century, the prospect was at best precarious. Indeed, it was a matter of serious apprehension to every reflecting mind; whether the confusion and ferment, which so universally prevailed, would terminate in a state of hopeless tyranny, or whether the people would ultimately triumph, and the fall of feudal aristocracy lead to a more permanent order of things, and to the establishment of civil liberty upon a sure, and solid foundation.

Meanwhile every artifice, that violence could employ, or cunning suggest, was made use of by the jealous nobles to check the rapid progress; which mankind were daily making in the arts of civilisation and comfort. Separately, the towns were too weak to resist; and the difficulty of communication rendered an effective union almost impossible. The public roads were infested by banditti. The traveller was exposed to danger at every step; while the robbers found a secure asylum in the impenetrable forests, or in the castles of the great, who were not only the protectors, but frequently the partners of their guilt.

Under such circumstances, the Swifs had much to encounter ; and great as their perfeverance was, they might have ultimately failed in the attempt, had they not frequently derived an unsuspected support from the errors, and divisions of their opponents. For their freedom was by no means the result of one bold enterprize, or of success in a single battle ; but arose from a series of events, prosperous beyond any thing which human prudence could anticipate, or the most sanguine character look forward to with rational hope.

Hitherto we have travelled through a dreary and desolate waste. Our prospect begins now to brighten. It is no longer a disgusting catalogue of crimes, and weaknesses which we shall present to the reader's eye, or the melancholy picture of the follies, and vices of his fellow creatures. It remains for us to record a variety of actions which do honor to human nature ; and to elucidate the mysterious ways of Providence, in rendering their excess of misery a source of happiness and prosperity to a virtuous and deserving people.

CHAPTER

CHAPTER V.

Rodolphus of Hapsburg—Albert—his unpopular Government—Discontents in Switzerland—Gefster and Landenberg—William Tell—Union of the Forest Cantons—The Austrian Government overturned.

THE ancient system of warfare was peculiarly favorable to the display of personal courage. Nothing was more common than for men, who would be confounded amidst the promiscuous mass of a modern army, to draw upon themselves the attention of Europe, and to become the support of their own, the terror of surrounding nations. Such was Rodolphus of Hapsburg, who by his prowess and generosity, rose from the rank of a simple count, not only to be the head of the Germanic body, but to be the founder of a family, which in the space of three centuries, bid fair to realize the most chimerical plans of universal monarchy.

A spirit of insubordination had for some time placed the great vassals of the empire in a state of almost absolute independance upon their chief,
which

which combining with the factious principles of a turbulent and ambitious clergy, had rendered the imperial crown an object rather of apprehension than of desire. In these circumstances, a diet was held at Francfort for the election of a successor to the vacant throne.

The disastrous situation of public affairs called imperiously for all the active virtues of an accomplished prince. The daring projects of individuals rendered them cautious in the object of their choice. In this dilemma, the general wishes of the assembly pointed to Rodolphus of Hapsburg. Endowed with qualities which could reflect lustre upon the highest station, he had not as yet attained a sufficient degree of power, to be regarded with an eye of jealousy by themselves. The prudence which he had manifested in all the various changes of a military life, inspired the most flattering promise of his future reign, and induced a well-founded hope that all the energy of his mind would be exerted in the re-establishment of social order. Nor were his faculties so limited, but that he might be able to restrain the lesser vassals within the bounds of duty.

The name of Rodolphus is so justly celebrated in modern story, as the most distinguished personage in an age, when mankind began to throw off the

the shackles of barbarism, and to feel themselves capable of more elevated attainments than scholastic pedantry, or ferocious war, that we dwell with peculiar pleasure upon his reign. Rodolphus was in stature considerably above the common standard, though by no means of an athletic form. His features were strong and masculine; and gave an air of sternness to his countenance, which seemed to indicate a severity of temper very different from his own. But no sooner did he enter warmly upon any subject, than they gradually softened, and assumed an animated character of affability, which did away every unfavorable impression, and spoke directly to the heart. Cheerful by nature, he could converse with gaiety and familiarity amid the most important occupations. Plain and unassuming in his manners, he was a declared enemy to every kind of luxury, and endeavored by his own example to check the ostentation and expence, which already began to find their way into the dwellings of the great. When in the field, his way of life differed but little from that of the meanest foldier. He ate of the same homely viands; he reposed upon the same bed of straw. Nay, so far did he carry this love of simplicity, that he has been seen sitting before his tent, and patching his tattered doublet, while he issued orders to surrounding generals, and anticipated victory by a well-planned attack. The early part of
his

his life had been spent in camps. We have already had occasion to admire him as the champion of civil liberty against the outrages and oppression of the great. In this respect, indeed, his conduct has exposed him to the imputation of impolicy, for having contributed to the elevation of a fabric, which in the sequel rose to so enormous a height. But if we could entirely divest ourselves of all historical information, and forgetting the eventful changes, which a period of above five centuries has wrought in the affairs of men, could adopt those views, which experience and reflection, the surest guides of human conduct, appear to have suggested to the count of Hapsburg, we shall, perhaps, find reason to consider his actions in a different light.

Rodolphus was born with a boundless ambition. He was conscious of the superiority of his own genius, and looked round him for the means which fortune had denied. His hereditary domains were inadequate to the extent of his views. He wanted both soldiers, and money to pay them.—By adhering implicitly to the example of his contemporaries, he could have entertained but little hope of ever emerging from that comparative state of mediocrity where nature placed him. But in siding with the towns against the great nobility, he at once became master of ample resources, while the popularity

popularity of the cause in which he was engaged, made crowds flock daily to his standard.

Such was the man, whom the unanimous voice of Germany invited to the imperial throne, at a moment of unparalleled anarchy, and who was indebted for his elevation neither to the splendor of his birth, nor the extent of his alliances, but (to use the exact words of the elector of Cologne) "*to his being a man, beloved both by God, and his fellow creatures, on account of his wisdom and equity.*"

The event of the election was to none more astonishing than to Rodolphus himself, for it does not appear that he had the smallest expectation of it. The pleasing intelligence was communicated to him, in his camp before Bâle, by the count of Pappenheim, in terms the most flattering to his vanity. He received it with modesty, but with surprize, and certainly with less apparent satisfaction, than was manifested in every town in Switzerland, all of which sent deputies to congratulate him upon his accession. The bishop of Bâle was no sooner made acquainted with the event, than he ordered the gates to be opened, imploring pardon. But revenge was a passion to which the generous breast of his adversary was a perfect stranger. He entered the fortress amid the acclamations of multitudes, not with the severity

verity of a conqueror, but with the cordiality of a friend; and having set all his prisoners at liberty, and granted an act of oblivion for what was past, he hastened, with a numerous retinue, to receive the imperial crown at Aix-la-Chapelle.

The conduct of the new emperor was such as fully to satisfy the expectations of his countrymen. Seated upon a throne, which conferred little more than a vain title of pre-eminence—circumscribed in every project by the jealousy of vassals, many of whom were more powerful than himself—assailed too by the importunities of the clergy, whose petitions were usually delivered in the authoritative tone of command, and by no means secure of the loyalty of a people, whom fanaticism had long rendered the easy tools of sedition, when concealed under the imposing garb of hypocrisy—without forces, or the means to raise them—Rodolphus had the good sense to discover, that by openly opposing the prevailing current he might draw down destruction on himself, without any material benefit to his country. He in consequence resolved to temporize, and to wait with patience for some of those fortunate chances which are continually occurring in the revolution of human affairs, and which it is the distinctive character of wisdom to seize, while they pass unnoticed by common minds.

Profiting

Profiting by the errors of his predecessors, it was the first object of his administration to conciliate the court of Rome, which proved no difficult task; for as pride was the leading passion in that corrupt body, it was easily gratified by a studied display of respect. But he had, at the same time, the good sense to resist all the importunities of the pope, to receive, from his hands, the crown of the Cæsars, in the capital of the Christian world; well aware of the price which the successors of St. Peter were wont to attach to that splendid gift.

Finding himself too weak to restrain the licentious spirit of the great by open force, he resolved, by the prudence of his government, to ensure the co-operation of all who were friends to social order, and who could appreciate the wisdom of his actions.

But his policy was particularly directed to the aggrandisement of his own family, which he omitted no opportunity of exalting. His daughters were married to the most powerful of the German princes. Several of the imperial fiefs were likewise rendered hereditary, and conferred upon his sons, on whom he also bestowed, whatever he could acquire either by negotiation or the sword.

This alienation of fiefs, was one of the most crying abuses of the imperial authority. But it is a defect

defect inherent in every elective monarchy ; as nothing can be more natural than for the reigning prince to sacrifice the interests of posterity to the elevation of his own family. The emperor's conduct in this respect is open to censure. It was an infringement of the original compact which unites mankind in a state of society. For such were the high ideas entertained of the privileges of a member of the Germanic body, that a clause was always inserted in every public charter, that the people, to whom it was granted, should never be separated from the empire, *except by their express consent*. Nothing, therefore, could be more unpopular than these abusive grants ; yet such was the high estimation in which Rodolphus was held, that he was suffered to proceed without any manifest symptoms of discontent. Even the vigilance of the Swifs was lulled. For the chains he imposed, were accompanied with such blandishments and caresses, that jealousy itself scarce dared to murmur, and suspicion slept on the brink of ruin.

Fatal indeed might this supineness have proved, had the temper of Albert allowed him to pursue the same artful plan. But his pride disdained the mask of prudence, which he considered as below the dignity of a sovereign. Besides he had a more numerous family to provide for at the expence of his neighbors. Indeed if we consider the haughtiness

ness of his character, and the subsequent boldness of his measures, we can hardly entertain a doubt that he had in reality formed a design of erecting Switzerland into an independant dutchy, to be conferred, by way of appanage, upon a younger branch of the Austrian family. The pretensions of the emperor upon the Italian states afforded another branch of profitable traffic. Rodolphus had too much sagacity to embroil himself in the crooked politics of that perfidious people; but he was at the same time too prudent not to take every possible advantage of their continual dissensions.* With this view, he sold the imperial claims to the inhabitants of the different states where they lay.

Lucca, Florence, Bologna, and Genoa paid 1279. abundantly for the municipal privileges which they obtained, but desired still to continue under the protection of the imperial crown. The favor was readily granted, but the advantages it conveyed were rather apparent, than real; though it was sometimes made use of as a barrier against papal usurpations.

After his accession to the imperial throne, Rodolphus paid frequent visits to Switzerland, a country he seems to have cherished with peculiar care. During one of these journeys, he had an in-

* Barre.

terview with the pope at Lausanne. But he never lost sight of his favorite project, and seldom returned without some fresh acquisition of territory. At one time, the Abbey of St. Gall was curtailed in its possessions; at another, the town of Zofingen was given up as an indemnity for other 1281. claims. Fribourg was purchased from the house of Kyburg. Colmar and Haguenau were terrified by threats into a surrender of their liberties. While Morat and Payerne were conquered from the house of Savoy. Lucerne, Baden, and Lenzberg were likewise occupied upon different pretences. But the defeat of Ottocar, king of Bohemia, was the proudest triumph of this illustrious reign; and in its consequences the most important. Austria, Carinthia, Stiria, and Carniola became the prey of the victor, and were conferred by Rodolphus upon his eldest son Albert, together with the title of Arch-duke of Austria. By this momentous acquisition he laid the foundation of Austrian greatness upon so solid a basis, that it henceforth defied the storms of fortune, and rose by progressive steps to that alarming height, that Europe trembled for her liberties.

The abbey of St. Gall had been long a source of contention to the neighboring princes, who were desirous of appropriating so alluring a prize. Frequent attempts were made by night to surprize the
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the abbot, and his holy brotherhood; who were oftentimes roused from their peaceful slumbers by the din of arms, and obliged to seek for security in immediate flight. All religious duties were suspended. All plans of economy forgotten. The situation of the society was every way embarrassed. Their revenues were ruined by mismanagement, or wasted in useless parade.

Rodolphus, whose comprehensive mind embraced the minutest objects, and who was never inattentive to the interests of his family, thought he might now interfere with some appearance of propriety. An inquiry was instituted. Dilapidators were punished. Subordination was established: and the friars once more returned to the dull tranquillity of a monastic life, while the emperor very amply rewarded himself, for the trouble he had taken, at their expence.

The rising power of Berne had long been an object of jealousy to Rodolphus; which the indiscreet partiality of that state for the house of Savoy had served only to augment. Alarmed at the near approach of so formidable a neighbor, the Berners had opposed the acquisition which he lately made of the town of Fribourg, with a degree of warmth, which is always impolitic when unsupported by an adequate force. The emperor was

anxious for an opportunity to revenge the affront, and the imprudence of the Berners soon afforded a plausible one. Upon an unfounded accusation of murder against some of that persuasion, and giving way to the prejudices of the age, they had taken occasion to banish all the Jews, who were settled in their territory, in considerable numbers. Rodolphus opposed the execution of the decree, alledging the incompetency of all subordinate tribunals to decide upon affairs of such magnitude, the cognifance of which belonged entirely to him by the feudal constitution. He in consequence ordered all further proceedings to be suspended, till the affair had been more fully investigated, and having examined into it with apparent attention, annulled the former sentence, declaring that the accused were innocent, and had been unjustly persecuted on account of their religious principles. He at the same time commanded that the Jews should be reinstated in their former situation, and in case of contumacy, condemned the city to a heavy fine. The conduct of the Berners, upon this occasion, was such as the emperor expected. He neither looked for, nor desired their compliance. An excuse for attacking them was the only thing he sought after; and he quickly perceived that there was no way of enforcing his authority except by the sword. Putting himself, therefore, at the head of a numerous
army,

army, he appeared before the walls of Berne, and summoned it to surrender, announcing his determination of giving up the town to pillage, in case of a refusal. The menace was vain. Rodolphus was incensed at the resistance,* and made two fruitless efforts to take it by storm. But the persevering courage of the garrison frustrated all his plans, and the summer being wasted without any material advantage, the severity of the winter obliged him to raise the siege. The ensuing year, an army, under the command of arch-duke Albert, renewed the war. The campaign was opened by a bold attempt on the part of the Austrians, Albert placed some of his best troops in ambuscade, at a point where he expected to be attacked by the besieged. The stratagem succeeded. The garrison sallied out, were taken unawares in flank, their retreat was cut off, and the whole party either killed, or made prisoners. The confusion was general. The Austrians were upon the very point of entering the town, when *Walo de Griers*, a valiant knight, animating his fellow citizens both by his exhortations and example, rushed into the thickest of the enemy, recovered the standard which had been lost, and finally repulsed them from the walls, *Walo* was received by his countrymen with every demonstration of gratitude which his heroic valor

* Tschudi.

merited ; who as the reward of this signal service conferred upon him the surname of *Biderbo*, which in the corrupt German of that age, signifies *valiant* ; an appellation his posterity have ever since retained.

Albert in vain attempted to prevail upon his troops to renew the assault. The loss they had sustained was severe, and had left so deep an impression of the enemy's prowess, that all his persuasions were ineffectual. Finding therefore that nothing was to be done, he retired in despair, leaving the Berners to enjoy their triumph, and to revenge themselves upon those nobles, who were suspected of a predilection for the Austrian interest. The dispute was soon after terminated by a treaty, signed at Baden, in which the only concession on the part of the Berners, was the institution of a perpetual mass, in honor of those who had fallen during the contest.

But the object which was nearest to the emperor's heart, and for the attainment of which he left no expedient unattempted, was to perpetuate the imperial crown in his own family. With this intent, he exerted all his influence to engage the princes of the empire to declare Albert his successor. But the house of *Hapsburg*, (or as we must henceforth call it, of *Austria*) was become so formidable,

formidable, that the same causes which had formerly contributed to his own elevation, now operated, with equal force, for the exclusion of his son.

Frustrated in this important point, Rodolphus appears in the autumn of life, to have grown less circumspect in his conduct, than he had hitherto shewn himself; and even to have sacrificed appearances to ambition. In Switzerland, he was continually extending his voracious grasp; sometimes laying his hands upon the ecclesiastical domains; at others, encroaching upon the rights of the chartered towns. Now proceeding by negotiation, now by force, till his popularity began rapidly to decline. Indeed the subsidies, which he was continually demanding could hardly fail to alienate the affections of a people, whose love of money has since become proverbial. Even the forest cantons, whose attachment had been eminently displayed during the Hungarian and Bohemian wars, and who had contributed essentially to the success of those brilliant expeditions, began openly to manifest their discontent; nor could the repeated assurances, which were given them, that they had nothing personal to apprehend, allay the general ferment. To such a degree too had this spirit of disaffection spread, that it is hardly possible they should have confined themselves to

simple remonstrances, had not the death of
1291. Rodolphus delivered them from all immediate cause of alarm, and induced them to wait with patience to see what line of conduct his successor would pursue. For though the general tenor of Albert's character was by no means calculated to inspire the flattering promise of a more equitable government, yet it was consistent with their principles to expect the event, and not to merit severity by premature resistance.

We have already judged Rodolphus from his actions. Little remains to be added. Few princes have left a greater reputation behind them—scarce any has deserved it more. Indeed, the only imputation, which can be cast upon his memory with any color of justice, arises from an amiable weakness—parental affection. In his anxious, and certainly too great, solicitude for the aggrandisement of his family, he was perhaps sometimes led to overstep the rigid line of justice, but even then his actions, as a politician, command our admiration; while we condemn the principle, we applaud the means. We are struck with the prudence of his measures, we are astonished at the depth of his views. The re-establishment of tranquillity throughout the German empire was entirely due to the wisdom of his government, and confers more lasting honor upon his name, than victory
can

can bestow on her most favored votary. But it is in the details of domestic life, where the benevolence of the heart is most conspicuous. Unfettered by the chilling forms of greatness, the real character displays itself there. It is there, that the hero unbuckles his armor, and becomes a man ; and it is in scenes like these that Rodolphus appears in the most amiable light. He would visit the meanest mechanic in his humble cottage, partake with cheerfulness of the coarsest fare, inform himself of the state of his contracted finances, and enter into the minutest inquiries about his trade, while by the unassuming humility of his behavior, he put the poor fellow perfectly at his ease.

To one of his guards, who endeavored in his hearing to prevent a peasant from having access to his person, he said, with an indignant frown, "*Thinkest thou then that I am a king only to render myself invisible ?*" Upon another occasion, having been informed that the collectors of the public revenues were too severe in the execution of their office, he wrote the following letter with his own hand : "The cry of poverty has reached mine ear. You subject the merchant to impositions, which he is compelled by no existing law to pay. The burdens you impose are intolerable. As you value my favor, learn henceforth to refrain from that which belongs not to you ; and content yourselves

“ yourselves with what is legally your due. For
“ know that I esteem the power of dispensing justice,
“ and protecting the oppressed, as the most
“ precious gift of heaven.”

No sooner was the emperor's death made public, than the principal inhabitants of Uri, Schwitz, and Unterwalden assembled, to renew their ancient bond by an oath, which was conceived nearly in the following terms. “ Be it known to all the
“ world, that we, the inhabitants of the vallies of
“ Uri, and of the mountains of Unterwalden, together with the men of Schwitz, in consideration of *the alarming prospect of affairs*, have united
“ ourselves by the closest ties ; and do solemnly swear
“ to assist each other, both with our fortunes and our
“ lives, against every aggressor whatever. Such is
“ the spirit of our league, and it is imprinted on
“ our hearts. It was formerly the privilege of
“ this country to be subject to the jurisdiction of
“ no magistrate, who was not a native of it : nor
“ to any one who had purchased his employment.
“ Among us, the decision of every dispute should
“ be referred to the most prudent, nor is any one
“ at liberty to refuse the office. Our laws are
“ simple. Whoever *intentionally* kills a fellow creature shall be punished with death ; and whoever
“ attempts to screen the murderer from the hands
“ of justice, shall be banished. If any one sets fire
“ to

“ to a house, he shall forfeit his right of citizen-
 “ ship, and the person who protects him shall make
 “ good the loss. The man who injures, or robs
 “ another, shall make ample compensation, as far
 “ as his ability extends. Nor shall any one seize
 “ the property of another without the permission
 “ of a judge; nor even then, except he is his
 “ debtor, or has been security for a debt. *Every*
 “ *member of society is equally bound to obey the magi-*
 “ *strates*; and in cases of resistance, all men are
 “ obliged to lend their aid to the civil power. If
 “ in a private quarrel, one party shall refuse to ac-
 “ cept of an adequate satisfaction, all the neigh-
 “ bors shall side with his adversary. These laws are
 “ established for the common benefit of us all, and
 “ with the mercy of God, shall continue in force
 “ for ever.”*

From what has been already said, it is easy to infer that the situation of Switzerland had improved but little, during the reign of Rodolphus. The ambitious projects of his son had roused a

* This declaration, bearing date in the month of August, 1291, laid buried among the public archives, till the year 1760, when it was discovered by the diligent Tschudi, and has since been published by Glefer, in his *Helveticum Fœdera*.

We have preferred preserving the rude and simple style of the original to the refinements of modern language, as more impressive and appropriate.

spirit

spirit of jealousy, the consequences of which it was not easy to foresee. Moderation and prudence might possibly have still served to tranquillize the public mind, and to harmonize its discordant tones. But Albert was averse by nature to lenient measures; and force was the only instrument which he knew how to employ. Yet such was the influence of the house of Austria, that, though his views were no longer doubtful, his partisans were daily increasing. The whole of Switzerland was divided into two factions—one of which was composed of the friends of freedom—the other was blindly devoted to the archduke. To the former, the elevation of Adolphus of Nassau to the imperial throne was a subject of no inconsiderable triumph. For notwithstanding the repulse he had already met with, Albert renewed his intrigues upon his father's death. But though he exerted every nerve in the contest, he had the mortification to see the golden prize borne away by a more fortunate rival.

The haughty soul of Albert was forced to submit, though he treasured up a store of rancor in his breast, which we shall hereafter see burst forth with all the violence of offended pride. For the present he contented himself with obtaining a ratification of all his former grants, as the price of his allegiance; which was given upon the express condition

condition of his assisting the emperor against all his enemies.

Rodolphus, at the time of his death, was engaged in hostilities with the abbot of St. Gall. Albert, who adhered implicitly to the plan of aggrandisement which his father had traced, determined upon carrying on the war with vigor; as he foresaw that it must ultimately terminate to his own advantage.

The citizens of Zurich had taken part with the abbot, and burnt for an opportunity of signalizing themselves by some decisive blow. With this view, the count of Toggenburg, laid siege to Winterthur, a town belonging to the house of Austria, after having defeated a considerable detachment of Austrians, who attempted to impede his march. The success, however, was rather brilliant than solid; as the count found himself too weak to carry on the siege, before the arrival of a considerable reinforcement, which he expected from Constance, but which, unknown to him, was retarded by the sudden rise of a mountain torrent, that interrupted their further progress. Werdenberg, who was advancing to the relief of the town with a large body of Austrians, having intercepted a courier, gained intelligence of their situation, and being an experienced officer, resolved to turn it to
his

his own advantage. A foldier, in difguife, found his way into Winterthur, and communicated the plan to the governor, who prepared to fecond it to the beft of his ability. Every thing being fettled between them, and ftandards prepared fimilar to thofe which belonged to the bifhop of Conftance, Werdenberg advanced without oppofition, as the befiegers miftook his forces for thofe of their allies; nor did they difcover their error, till it was no longer in their power to retrieve it. Attacked in front by the garrifon, while the Auftrians fell upon their rear, they fcarce made any refiftance. A dreadful carnage enfued. Indeed fo great was the lofs, that nothing was left for the Zurickers, but patiently to fubmit to whatever terms the victor thought proper to impofe.

While Zurich was thus ftuggling unfuccefsfully againft the power of Auftria, Berne was engaged in continual hoftilities with the neighboring ftates. With fome ſhe contended in defence of her own independance. She fought with others to punifh them for their fhameful apoſtacy from the caufe of liberty. Fribourg, for the latter reafon, was become the principal object of her refentment; ſince the citizens had made a voluntary furrender of their chartered rights into the rapacious hands of Auftria. The character of Albert was too well known, for the Berners to fuppoſe, that this open avowal

avowal of republican principles would pass unnoticed; and they were too well acquainted with his resources not to feel the inequality of the contest. The duke of Savoy appeared to be the only prince, who was in a situation to afford them any effectual support. With him therefore they endeavored to connect themselves by every possible tie. And conscious that vanity and interest are the leading passions of the human mind, against these were their batteries directed. Having put themselves under his immediate protection, and appointed a valiant knight, of the Erlach family, to the chief command, they marched against the Fribourgers, who were advancing, with a formidable body, to give them battle. But superiority of numbers were never regarded by the Berners. During the whole of their memorable struggle one maxim alone seems to have directed their actions; they felt, *that the liberties of a people are utterly annihilated from the very moment they submit to the most trifling act of oppression.* The armies met upon the summit of the *Donner-bu'hel*. Confident in the recollection of their late victory, the Berners attacked with an impetuosity which nothing could withstand. At the first onset, the enemy's line was broken. They fled in disorder, leaving their opponents in possession of the field of battle; and of ten banners, which were suspended in the cathedral of Berne, with all the animating accompaniments

accompaniments of military ovation, as eternal monuments of their prowess.

While the free born sons of Berne were thus preparing themselves, in the school of war, for still severer conflicts, Adolphus, by the venality of his government, was rendering himself despicable in the eyes of Europe, and thus paving the way for his fall—for from contempt to ruin the passage is rapid beyond belief. Various accusations of unbounded profligacy were laid to his charge by the partisans of Albert, many of which had probably no foundation but in the violence of faction. For his conduct towards the Swiss, during a short and turbulent reign, was very far from indicating that excess of mental depravity, with which his memory was branded by the adherents of the adverse party. But whether true, or false, they at all events served the purpose for which they were intended. The current of popular opinion was turned in favor of Albert. Adolphus was publicly deposed, by a majority of the princes, and his rival elected in his stead. The degraded emperor, among whose failings his most inveterate enemies have never dared to place the want of courage, and who was still supported by a respectable party, assembled a numerous army, resolving never to lose his crown but with his life. The rivals met between Spire and Worms, and according to the
most

most credible authorities, singled out each other, as if mutually desirous of terminating the contest by single combat. Fortune declared in favor of the Austrian. Adolphus fell; leaving his competitor in undisputed possession both of the field and empire. 1298.

No sooner did Albert find himself securely seated on the imperial throne, than every effort was directed to the completion of his favorite scheme, viz. the procuring independant establishments for his three sons, in Swabia, Alface, and Switzerland. But the natural impetuosity of his temper would not permit him to proceed with the necessary caution. He was, besides, anxious to unite the scattered domains of the house of Hapsburg, by possessing himself of the intermediate territory. Nothing was left unattempted, that could conduce to the success of this darling project. To the avaricious he address himself by the alluring charms of interest ; to the timid he applied in the commanding tone of authority. In the mean time, the imperial fiefs were conferred as appanages upon his younger children ; while the abbots of Murbach, Einsiedlen, Interlachen, and Dissentis, together with the canons of Lucerne, were induced to renounce their claims, in the different cantons, in his favor. And upon this renunciation was founded that shameful abuse of power, which excited the

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indignation of those celebrated worthies, whose glorious struggle in the cause of freedom, it is now our business to commemorate.

The ecclesiastical revenues were in like manner bestowed upon different branches of the Austrian family, who enjoyed them under the various titles of *treasurers, administrators, or, advocates*. And when so glaring a contempt of common justice excited any discontent among the people, their apprehensions were soothed by promises, or their murmurs silenced by threats.

But Zurich, St. Gall, and the count of Homberg, rejected those degrading overtures with a degree of resolution, which precluded every hope of success. Albert, who regarded even the slightest opposition to his will as an unpardonable outrage, resolved to accomplish by force, what he had in vain attempted by negotiation. Having assembled an army in haste, he laid siege to Zurich, concluding that the loss, which that city had so recently sustained, must have rendered it incapable of a long defence. The citizens, who were equally conscious of their own weakness, still disdained to yield, and as their only refuge, had recourse to stratagem. Having dressed their women and children in complete armor, and drawn them up upon the walls in array, they set open the gates, as if to brave the enemy to an assault.

fault. So formidable, and unexpected a display of military force made Albert pause. He was prepared for an easy conquest, and had not calculated upon such resources! A council of the most experienced officers was accordingly summoned, who agreeing in their opinion that any attempt by storm would prove fatal, and the army shewing no inclination to submit to the hardships of a regular siege, the emperor thought it prudent to retire, without exposing his troops to any further trials.

Though foiled in this attempt upon Zurich, the Austrian power was still spreading with a degree of rapidity, which could not but occasion the most serious alarm to the neighboring states. The forest cantons, in particular, had cause to tremble for their internal safety. Their apprehensions too were still further increased by the arrival of the counts of Oxenstein, and Lichenberg, with the following propositions in the name of Albert, "That, for
" their own security, as well as for the future prosperity of their country, they should immediately
" put themselves under the protection of Austria;
" whose dominion already extended over the
" greater part of the adjacent country. That the
" claims of Albert were clear, and undeniable, and
" founded upon the cession of the monastic orders,
" and of their other feudal lords. That their inability to resist so powerful a prince was notori-

“ous to all the world; yet that such was the benevolence of their master’s disposition, that he wished to look upon them in the light of children, and to derive his authority from their voluntary consent. For that he felt an hereditary interest in their welfare, both as the descendant of their ancient patron, the count of Lenzberg, and as the son of Rodolphus, their truest friend.” They further added, “that in offering them his protection, it was by no means the emperor’s wish to deprive them of any part of the produce of their numerous herds, or to extort pecuniary supplies from the sweat of their brows. His admiration of their courage alone rendered him desirous of the connection. He looked upon them as a people worthy of being led to glory by the greatest generals of the age, and of sharing, with his victorious troops in the spoils of the subjugated world.” The address concluded by hinting at the prudence of *unconditional* submission. “For their little territory being now surrounded, on every side, by the dominions of Albert, it depended entirely upon his pleasure to cut them off from all intercourse with the rest of Europe.”

Albert had persuaded himself that, by appealing to their leading passions, he might captivate a people, who were insensible neither to the suggestions of interest, nor to the charms of glory. But the

the honest Swiss, who had received previous intimation of his views from Werner, count of Homberg, replied with respectful firmness, "That they should ever retain a proper sense of the emperor's bounty, and should feel happy in any opportunity of testifying their gratitude. But that they were perfectly contented with the humble situation, in which providence had placed them, and felt not the smallest inclination to exchange it for a more brilliant destiny. On the contrary, the only boon they implored, was a confirmation of those privileges, for which they were indebted to the bounty of his royal father."

This answer, though delivered with such dignified confidence as to leave but little prospect of a change, by no means extinguished the hopes of Albert, though it induced him to have recourse to other measures. Yet before he proceeded to extremities, he wished, if possible, to obtain some plausible excuse for his conduct. He was however so much incensed at the opposition he had already experienced, and was so little master of his temper,

that he refused to acknowledge Werner for 1301. their hereditary bailiff, and declared the office vacant. Though in this latter instance, he was still further influenced by personal motives, as the count of Homberg had lately incurred his resentment, by an appeal to the imperial

chamber. Upon a renewal of the application, he lost all patience, and sent orders to the bailiff of Lucerne to take upon himself the same office in the three refractory cantons; and immediately to levy all the impositions, and arrears, which were due to the convents, in whose right he claimed, by the feudal tenure.

The forest cantons, on their part, continued their importunities, but to no purpose. Their complaints were neglected; and Werner, who was sent, in a public capacity, to plead their cause, was received with every studied mark of disrespect. Meanwhile, the imperial bailiff, having published his credentials, began to administer justice in his master's name. The Swiss renewed their remonstrances, in more energetic language. Both parties grew every day warmer, and things were at length carried to such extremities, that no alternative was left to Albert, but either tamely to recede from all his former pretensions, or to carry the point by force of arms. And this was exactly the situation he seemed to wish for. However, not being as yet prepared to take the field, he so far dissembled, that he affected in part to comply with their petitions, by nominating two of their own countrymen to the important office of bailiff. The names of Gefsler, and Landenberg recall to our mind whatever is base, or hateful in
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the character of man. Their crimes have been consecrated to the indignation of posterity, as awful examples to deter their successors in the career of iniquity. They were both descended from noble families; both equally harsh and inflexible; and both endowed by nature with those apparently discordant qualities, which so frequently flourish in the soil of despotism, and fit the same person for the opposite characters of tyrant and slave. Their prevailing vices—for even in the most degenerate souls there are gradations of guilt—were, however, of different kinds. Pride formed the predominant passion of the one, avarice that of the other. But in the violence of their tempers, the arrogance of their proceedings, and in their contempt of every finer feeling of humanity, the balance was so exactly poised, that it was not easy to determine whose scale preponderated.

Upon their arrival from the court of Albert, the first object for their consideration, was the choice of a proper spot for their respective residence, as they were desirous, if possible, to unite convenience with security. Having visited the different places of strength, and calculated all the advantages of situation, Landenberg at length fixed upon an ancient castle, at Sarnen, in Unterwalden, which had till lately belonged to the canons of

Lucerne; while Gessler took up his abode in the town of Altorf, the capital of the canton of Uri.

The devoted Swiss began now to experience the fatal effects of Albert's wrath. It is true, they had formerly been subject to the control of some foreign prince, who governed them under title of *imperial bailiff*. But then he had never resided among them; so that his jurisdiction was in a great degree nominal. The administration of justice had been invariably delegated to a native, whose proceedings were directed by local customs, and established laws, and who was called upon, every year, to render an exact account of the manner in which he had employed his authority. They were now exposed to all the petty persecutions of little minds, which were anxious to recommend themselves, by the abuse of power, to the favour of a tyrannical master. Offences became arbitrary; punishments capricious. The governors never appeared in public, unless they were surrounded by a numerous guard. Nor did they omit any other precautions to secure themselves against the sudden ebullitions of popular fury, or which might contribute to rivet more firmly the chains, which it was the sole object of their mission to impose. Fortresses were erected in the most disaffected places, into which persons of every description

description were thrown, upon the slightest grounds of suspicion. At the same time, all commercial intercourse, with their neighbors, was entirely precluded, by the exorbitant duties imposed by Albert, upon merchandize of every description, in its passage to, and from, the forest cantons.

Such unmerited acts of oppression occasioned the most pathetic remonstrances. But the insulting scorn with which the supplicants were treated, soon convinced them that their new governors acted with the entire approbation of the imperial court. They felt that all further applications would be ineffectual, and that no redress could be expected, but from the energy of their own exertions.

A few instances, out of many, which are recorded by contemporary writers, may serve to convey some faint idea of the atrocious conduct of those men, whom Albert had invested with the unlimited power of oppression; and will, at the same time, shew, that the resistance of the Swiss did not originate in any refined theories of equalizing philosophy, nor arise from the factious turbulence of democracy; but that it was the last effort of despair, in a people, worn out by suffering, and exasperated by wanton insolence.

The

The love of ease—an inclination natural to the human mind—added to the apprehension of those incalculable evils, which are the necessary concomitants of a revolutionary change, must ever operate with undefinable force upon a prudent people, in inducing them to submit to many inconveniences, and to bear with many ills, rather than seek a desperate remedy, by rashly appealing to the first principles of civil society, and overturning the existing government. But contumely, and contempt, it is beyond the patience of man to endure. Indeed, it appears doubtful, whether the Austrian ministers might not have proceeded, with impunity, in their career of injustice, had they been careful not to provoke, by voluntary insults, a people whom they had already driven to the verge of desperation by the rigor of their persecutions.

There was a class of men, in the lesser cantons, who were distinguished, from the generality of the inhabitants, no less by the antiquity of their families, than by the affluence of their circumstances. They cultivated their patrimonial farms with honest industry, preserved the amiable simplicity of patriarchal manners, and lived in a state of respectable comfort, between the ostentatious splendor of the noble, and the humble mediocrity of the peasant.

And

And it was particularly against these, that the agents of despotism seem to have directed their fury.

Gefslar, passing one day by a neat and commodious house, which had been lately built by a person of the name of STAUFACHER, and which was externally decorated with more than common elegance, having inquired for the owner, address him thus with a contemptuous smile—"Do you think such a habitation suitable to the condition of a peasant? You complain of the emperor's exactions, but while he leaves you wherewithal to erect such buildings as these, you have too much reason to be thankful." And immediately he ordered his satellites to pull it down. Staufacher, from that moment, became one of the most ardent champions in the cause of liberty.

Landenberg, on his side, was no less active in sowing the seeds of discontent. Having seized the oxen, belonging to a respectable farmer, for some slight offence, the proprietor implored him to inflict some other punishment, if he should, in reality, be found guilty of the crime of which he was accused. For that otherwise he must be inevitably ruined, having no other means of cultivating his farm. "*Let the miscreant draw his own plough!*" was his only reply, and immediately another hero enlisted under the standard of liberty.

1306. Much about the same time, *Wolfenschiefs*, a spy employed by Landenberg, was murdered, by *Conrad Baumgarten*, whose wife he had attempted to seduce. The governor, highly offended at the death of a man, who, by the infamy of his character, had peculiarly attracted his notice, vowed vengeance against Conrad, who had prudently withdrawn from the first effects of his resentment; irritated to the extreme, that one honest man should escape his fury, he set no bounds to his rage, and panted for an opportunity of giving it vent. The occasion was not long wanting. HENRY OF MELCHTHAL, a strenuous advocate for the independence of his country, and who, by the integrity of his character, was become an object of more general respect, than he was otherwise entitled to from the mediocrity of his fortune, was selected to be the victim of his wrath. Landenberg, whose punishments were in general dictated by the avidity of his disposition, having, upon some trifling provocation, sent to seize his oxen, while they were employed in the labors of husbandry; his son, a gallant youth, opposed the execution of the decree, and drove away the officers of justice, with the same whip with which he had before been driving the plough. Young Melchthal absconded. The governor, who was irritated, beyond description, at the insult which had been offered to his authority, and still more so, to find that

that his prey had escaped him, commanded the aged father to be dragged into his presence, and after reviling him, in the most opprobrious language, caused his eyes to be put out, while he himself stood by, to see the sentence executed in all its rigor.

Gesler, who, as we have already seen, was the slave of vanity, sought every means to gratify his prevailing passion. Among other strange expedients, a pole was erected in the market place, at Altorf, and a hat suspended on it; to which he enjoined all passengers to pay the same respect, as was due to his own person. So wanton a display of tyranny could not fail to inflame the public, who wanted no accession of outrages, to feel all the misery of their dejected state. Yet so completely were they kept in awe, by the numerous fortresses, which the new government had erected in all parts of their territory, that they sunk into sullen despondency. A power established upon the tremendous basis of military despotism, appeared to them to be unassailable by any efforts, which despair alone could dictate.

Sacred be the name of him, who first dared to form the noble project of liberating his countrymen from their ignominious bondage! STAUF-

CHER

CHER was the hero who conceived it. In silence he contemplated the degraded state to which his country was reduced. He brooded over her wrongs in secret. He meditated upon the energies of the human mind, and felt, from inward conviction, that man was destined by nature to be something more than the passive slave of despotism. Having reduced his ideas to a rational form, he hastened to communicate them to his friend WALTER FURST. At his house, he met ARNOLD OF MELCHTHAL, who had taken refuge under his hospitable roof from the pursuit of Landenberg. Misfortune is the parent of confidence. They had suffered in the same cause, and flew to each other's arms with all the attachment of men, who were connected by the strongest of all ties—the love of freedom. Having deliberately weighed the dangers to which they were exposed, and imparted to each other the hopes with which they were animated, they bound themselves, by the most solemn promise, to break the fetters of their country, or to perish in the attempt. But as the only object, at which they aimed, was personal security, in the pursuit of liberty they resolved never to deviate from the path of justice. It was therefore laid down as a *fundamental principal of their union*, that they should in no case separate from the Germanic empire, nor refuse to their feudal lords, whether ecclesiastical, or secular, those services which,

which, according to that barbarous system, they were bound in duty to perform. Having finally engaged to observe the profoundest secrecy, and agreed that no partial attempts should be made, till the mine was ready to be sprung; and having fixed upon a place, where they might meet with a few chosen friends to consult upon the necessary preparations for a general insurrection; they took leave of each other; not with the suspicious jealousy of men, who are hurried, by interested motives, into a factious opposition to the prevailing favorite of the day, and who assume the mask of patriotism as a cover to their own ambitious projects: but with that honest confidence, which is the result of conscious integrity, and the characteristic of hearts, which pant not after the distinctions of the world, but which are capable of feeling for the wrongs of humanity.

To propagate the electric flame among a people, whose wills were in perfect unison with their own, required not the arts of persuasion. The founders of Helvetic liberty met with a sure, and ardent friend in every person to whom they entrusted the important secret. But they were cautious in their measures, and discreet in the selection they made.

On

On the 17th of November, 1307, (the day fixed for their meeting) each of them appeared at the appointed spot, attended by ten chosen companions. This nocturnal assembly was held in the field of RUTLI, a retired meadow, on the shores of the lake of Lucerne, exactly on the confines between Schweitz and Uri. Its solitary situation, amid surrounding rocks, seemed to preclude the possibility of a surprize. Conscious, however, that a secret, which was known to so many persons—(all of whom, even from physical causes, could not be equally proof against the operation of terror, or be all equally insensible to the suggestions of interest)—was at best precarious, the greater part of the conspirators were for an immediate rising, alledging, that in situations like their's, delay was ruin. Melchthal, on the contrary, employed every argument he was master of, to combat such precipitate resolutions. “The castles of
“Sarnen and Rotzberg were too strong, he urged,
“to be taken by assault? and upon the first alarm
“would afford their tyrants a secure retreat, till
“an Austrian army could march to their relief,
“and place them once more in a situation to take
“ample vengeance upon those, who had presumed
“to resist their ferocious designs. But if they
“waited patiently for a short time, some opportunity might possibly occur, to get possession of
“them

“ them by stratagem. Besides, it was an indignity
 “ to human nature, to suppose that men, engaged
 “ in so noble an enterprize, could betray the cause
 “ in which they had once embarked. Such suspi-
 “ cions might possibly be entertained with reason
 “ in the corrupted soil of courts; though he hoped,
 “ for the honor of mankind, that instances like
 “ these were less common, than they are repre-
 “ sented to be. But every person present—he spoke
 “ from the emotions of his own heart—must
 “ feel that the first of all obligations was his duty
 “ to his country—and feeling it, must view all the
 “ concerns of the world—it’s crowns, or gibbets
 “ —with equal indifference.”

The energy, with which he spoke, brought over
 the whole assembly to his opinion. All ideas of
 an immediate aggression were laid aside; and the
 first day of the new year was appointed for the exe-
 cution of the momentous project. This weighty
 business being thus decided, every man returned to
 his accustomed occupations, with as much ap-
 parent tranquillity, as if his only hope, in the ap-
 proaching year, had been a fertile season, and an
 abundant crop.

An event, however, took place in the interval,
 which, without the almost unexampled prudence
 of the conspirators, would have destroyed their

hopes for ever. We have already seen to what a degree of insolence Gessler had carried his capricious pride. Presumption proved his ruin. WILLIAM TELL, a name justly celebrated in the annals of Helvetia, had married the daughter of Walter Furst; and upon that account, as well as from his enthusiastic attachment to the cause of liberty, had been admitted a member of the holy bond.

Happening, one day, to pass through Altorf, the sight of the hat inflamed his indignation to such a pitch, against the governor, that he not only refused obedience to his fantastic mandate, but treated the magisterial ensign with the contempt it merited. Gessler was no sooner informed of what had passed, than he commanded the bold plebeian to be dragged before him; and giving way to the suggestions of unbridled fury, decreed that, as a punishment for his audacity, he should, at the approaching festival, either pierce with an arrow an apple, placed upon the head of his son, a boy of five or six years old, or should suffer immediate death. So strange, so inhuman, a sentence, was little calculated either to soothe the minds of the discontented populace, or to calm the resentment of the offended patriot. For some moments he hesitated. But secure in his own unerring arm, after a little reflection, he accepted the trial. To
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this too, he was probably still further prompted, by the consideration, that a scene of such wanton cruelty, must operate, upon the feelings of the spectators, in a manner conformable to his secret views.

On the appointed day, Gefsler appeared in the market place at Altorf, seated in his chair of state, and encircled by his body guard. His countenance bespoke the insolence of triumph. With a savage smile, he ordered the culprit to be brought. Tell came forward with a resolute step. The attentive crowd, who had been attracted from the remotest vallies by the novelty of the spectacle, trembled as he past. He took his post. The boy was stationed, by the governor's direction, at a distance which appeared to him the most unfavorable to the archer's skill. Tell grasped his bow. Mute attention prevailed. Every heart beat but his own. He drew the string. The arrow flew. The apple fell. Repeated peals announced the joy of the spectators, and rebounded through the adjacent rocks. The hero ran to his darling child. He caught him in his arms. He clasped him to his doating bosom. He gave way to the effusions of nature. Till unable any longer to suppress the violence of his emotions, he turned in exulting triumph to the affrighted governor, and producing another arrow, exclaimed, "*Had my boy fallen, this, tyrant! was*

*“ reserved for thee.”** At once a prey to disappointment, rage, and shame, Gefsler commanded his soldiers again to seize the bold delinquent. The populace interposed in vain. In vain they resisted the guard. After a short conflict, Tell fell once more into the hands of his enemy ; who in order to secure him against any attempts which might be made for his rescue, commanded him to be con-

* The author is well aware that the sceptical spirit of the age has thought fit to question the authenticity of this popular tale. But to him there appears no valid reason to reject it. Nor does it seem at all improbable, that the man *who had erected his bat into an object of worship*, should carry the wantonness of tyranny to any possible excess. Besides the story was recorded in painting, in the market place, at Altorf; which proves, at least, that it had obtained some degree of credit, in the very spot, where the event is supposed to have happened. Criticism, when properly applied in the selection of historical facts, is highly favorable to the cause of truth. But we see not any advantage that can be derived from throwing aside all those popular stories, which have existed for ages the delight and boast of national vanity, as equally undeserving credit with the ghosts and witches which amused and terrified our more credulous ancestors. The love of investigation, if confined within rational limits, conduces essentially to the advancement of science, and the progress of literature. But it is surely a matter of regret, to behold the most splendid characters of antiquity frittered down by the refining chemistry of analysing critics, till they have scarce one characteristic virtue left. A system like this perverts the true intent of history. It may become a subject of curiosity for the antiquary, but it is no longer an instructive school for statesmen and politicians.

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veyed to Kufnach, a fortress on the opposite side of the lake. Fearing, however, that the unmerited rigor of his fate might excite a sentiment of compassion in the bosoms of those, on whom he had imposed the execution of this harsh decree, the governor resolved to accompany him in person, and embarked with his attendants, in the same boat. But scarcely were they out of reach of the shore, when the clouds, which had been gathering round the lofty summit of the St. Gothard, and to which Gessler, blinded by excessive passion, had paid little attention, burst with impending danger.* The violence of the storm precluded all possibility of returning. The tempest howled. The waves ran high. The surrounding rocks which rise almost perpendicularly from the level of the water, rendered all attempts to land impracticable. The watermen sunk under the labor of the oar, and unable any longer to contend against the fury of the winds, commended themselves to Providence for protection. In this tremendous crisis, some one of the passengers recollecting that Tell had the reputation of being the ablest pilot of any who frequented the lake, suggested to the governor, as the only expedient that was left, to prevail upon

* Those alone, who are acquainted with the lakes of Switzerland, can form an adequate conception of the perils, which attend a hurricane, even in the shortest passage.

him to take charge of the vessel, and to exert his skill for their mutual salvation. Gessler caught with eagerness at the proposal. The prisoner was unbound, and placed at the helm. For some time he struggled manfully against the storm; took advantage of his local knowledge to weather its fury; till, by degrees, he approached the bank, at a spot, where the receding mountains leave a small promontory, for man to save himself from the fury of the waves. The courage of the passengers revived. They already thought themselves secure; as Tell approached the shore. When having conducted the bark to the spot he wished, he boldly plunged into the flood. With one hand he seized the rock; with the other he pushed back the vessel, and left the affrighted tyrant, with his dismayed companions, in a situation little short of despair. The tempest, however, at length abated. With difficulty they gained the shore. But the governor was not yet in safety. Tell met him on the road, a little beyond Brunnen, and in an instant an arrow laid him dead at his feet. The monster perished, and Tell became the idol of his country.

It is not here our intention to enter into any elaborate defence of tyrannicide, so much extolled in ancient story. But this we will venture to affirm, that if under any circumstances the murder of a fellow creature is a deed of heroism, Tell must stand

stand acquitted before the tribunal of eternal justice, and share the admiration of posterity with an Aristogiton, or an Harmodius. Yet glorious as the action was, it had nearly proved the ruin of the party. With the rapidity of an electric shock, the flame flew from breast to breast, and threatened a general explosion, before the mine was properly prepared. But such was the prudence of the leaders, that the ferment for a while subsided. An apparent calm succeeded. The important hour approached. 1308.

Fully aware of all the difficulties, they had to encounter, before they could expel their persecutors from those fortresses, where they securely derided the impotent fury of an undisciplined mob, they had recourse to stratagem for success. A youth of Unterwalden, to whom Romance has given the name of *Wolfgang*, had long paid his addresses to a maiden, who resided in the castle of Rotzberg. Upon this circumstance did the conspirators found their hopes of getting possession of that important post. The youth redoubled his assiduities, and secure of his mistress's affections, demanded from her the dearest pledge of confidence, which according to the simplicity of Helvetic manners, consisted in admitting him privately to her embraces. The night was fixed for the 31st of December. It was agreed that she should let down

a ladder from her window, by the assistance of which he might easily ascend the perpendicular rock, on whose craggy summit the castle stood. On the last evening of the year, Wolfgang, attended by a select band of his most trusty and resolute companions, repaired to a wood, adjoining to the fortress. The night was dark, and starless. Impatiently they waited the expected signal. The clock struck twelve. No sign was given. They doubted. They suspected. They despaired. The draw-bridge fell. Their apprehensions increased. They heard distinctly the approach of horses. Their palpitating bosoms anticipated treachery. Even love itself was unjust. The horsemen passed them. By the light of torches they distinguished Landenberg. He continued his route to Sarnen. Their courage revived. The noise died away. The lamp appeared at the casement. The ladder descended. The youth mounted with hasty steps, but animated with far different passions from those which fired the bosom of the expectant fair. Trembling with hope and apprehension, she led him to a private chamber. It was a trying moment for a lover. The warmth of his desires, the midnight silence, her smiles, her caresses, invited him to scenes of pleasure. But the genius of Helvetia prevailed. Tearing himself from her arms, he informed her; that an indispensable duty forced him, however reluctantly, to renounce the happiness

ness which love and she intended him. That for the same reasons she must submit to a temporary confinement ; but that the rising sun should deliver her, and justify him. Thus saying, he rushed out of the apartment, turned the key, and hastened to his impatient comrades. Having ascended the ladder, one by one, they seized the sleeping centinels without resistance. And thus in the space of a single hour, did this almost impregnable fortress fall into the hands of the insurgents, a harmless conquest, unfulfilled by one drop of blood. Indeed, with such facility was this important enterprize achieved, that no alarm was given in the neighborhood. And when the dawning day delivered the captive beauty to her lover's arms, no one, without the castle walls, suspected the revolution which had taken place.

Early on the following morning, a select party of the brave inhabitants of Unterwalden, met Landenberg, as he was going from the castle of Sarnen, to the parish church, to be present at the celebration of mass on new-year's day. They were loaded with presents, which according to the usages of those times were offered, at this season, to men in power. A troop of thirty more lay in ambush near the walls, ready to appear upon the first alarm. Delighted with the liberality of the offering, which had been purposely made more abundant

dant than usual, the governor invited them into the castle, and ordered them to be welcomed with a hospitable glass. But no sooner had they gained admittance into the court, than the expected signal was given, by a horn. Their comrades flew to their assistance. They seized upon the bridge, and the magazine of arms, before the little garrison was prepared to resist; who terrified at the suddenness of the attack, and ignorant of the numbers by whom they were assailed, threw down their swords and surrendered upon a promise of their lives.

The insurgents were every where equally fortunate. In the course of one day, the castles of Sarnen and Rotzberg, in Unterwalden, those of Schwanau, and Kufnach, in Schweitz, and the newly erected fortresses near Altorf, in Uri, were taken, and given up to the flames; and with them, was every vestige of despotism effaced for ever.

History exhibits few events more extraordinary than this. Whether we consider the advantages which were obtained, the means by which the conquest was effected, or the humanity with which it was used, we shall find equal cause for admiration, and wonder. At a moment, when flushed with victory, and irritated by the most wanton acts of oppression, much might have been urged in defence of the insurgents, had they overstept the true

true bounds of moderation, and given way to those excesses which are too frequently the concomitants of recovered liberty, all former animosities were buried in oblivion. The prisoners were treated with generosity, and being conducted to the frontiers, were released, upon a solemn promise that they would never more pollute the land of freedom with their venal step. Indeed, except in the single instance of Gessler, who fell the victim of his own imprudence, not one drop of blood was shed.

The welcome intelligence flew with rapidity from mountain to mountain. Every goat-herd immediately threw aside his pipe, and crook, and armed in the common cause. STAUFACHER, MELCHTHAL, TELL, and WALTER FURST, were received, by their exulting countrymen with every demonstration of gratitude, which the simplicity of rustic manners would allow. The joy was universal. The opulent farmer set wide his hospitable door to his poorer neighbor, and amid the festivity which prevailed, the names of their deliverers resounded, with blessings, from every tongue. The world, perhaps, never exhibited a spectacle more congenial to the feelings of humanity—it was the triumph of innocence over the unjust attempts of despotism.

On

On the following funday, a general assembly of the inhabitants of the three cantons met, to renew the alliance for the space of ten years. The bond of union was conceived in the *same terms*, was subject to the *same limitations* as that which has been already laid before the reader. Indeed it is a most striking feature in the character of the Swifs, and one which distinguishes them from all other people under similar circumstances, that they maintained the same spirit of moderation in the inebriating hour of complete success, which they thought necessary to observe in the hopeless moment of depression. Nor is the conduct of their leaders less remarkable. Thrice happy in the happiness they had occasioned, they aimed at no distinctions but those of conscious virtue, and retiring to the tranquil scenes of domestic enjoyment, continued to live in that enviable state, where the heart has nothing to covet, and the historian nothing to record, but that which elevates and adorns human nature.

Who does not here call to mind the name of Washington, that great, that glorious man! The whole American Continent is indebted to him for their present liberation from the horrors of European despotism. May the abominations of Superstition speedily find a similar fate! May every future generation in America breathe their blessings on the name of Washington, and make it a watchword to the friends of Liberty. CHAPTER
 St. Louis. New Orleans to Patuxent

CHAPTER VI.

Assassination of Albert—Inhumanity of Agnes—Leopold Duke of Austria—Battle of Morgarten—Prudent Conduct of the Swiss—Truce with Austria—League with the Emperor Lewis—Death of Leopold—Affairs of Italy.

THE behavior of Albert, towards the forest cantons, had been imprudent in the extreme. His first attempt to induce them by persuasion, and the apparent advantages which he held out, to a voluntary surrender of their privileges, was, at least, a tacit acknowledgment of their independence. While by afterwards recurring to compulsory measures, he forced them to make trial of their strength, and thus led them, by degrees, to pass those bounds, within which they would have willingly remained. Indeed the violence of the emperor's temper seems to have been at constant variance with his policy, and to have prevented him from employing those precautions, which could alone have given him any chance of success. Upon the slightest obstacle, which stood in the way of his ambitious projects, and which he

he was unable to remove by the liberality of his promises, he had recourse to open force ; and thus frequently frustrated his own designs, by exciting the jealousy of his adversaries, before he was prepared to encounter them. Various states of Switzerland found themselves in this predicament, among others the abbot of St. Gall, and the bishop of Bâle, who had particularly incurred his displeasure, by resisting his unjust and groundless pretensions.

The general opposition he met with, had forely wounded the emperor's pride. And no sooner was he made acquainted with the late events, which had taken place in the forest cantons, than he issued a decree, enjoining his subjects to suspend all intercourse with them ; publishing, at the same time, his intentions of putting himself at the head of a numerous army, early in the spring, to reduce them to obedience.

But providence had decided otherwise, and by a premature death arrested his proud career. The injustice of Albert's measures was confined to no class, or description of men. Whoever had any concerns with him, had equal reason to complain. A tremendous lesson was given in his example to the rulers of the earth—He fell the victim of his own iniquity—by the hand of a relation he fell.

By

By the will of his deceased brother, the duke of Suabia, the emperor had been appointed sole guardian to his nephew John. This young prince, who was no longer a minor, had made urgent, and reiterated application to his uncle, for the investiture of his patrimonial fiefs, but had been put off, from time to time, by evasive answers, under pretence of youth and inexperience. For some time, he submitted with tolerable patience, but perceiving that Albert continued to defer the completion of his promise, upon the most frivolous excuses, and that the same plea did not hold good with respect to his own children (on the elder of whom he had already conferred large domains, though of the same age with their cousin), John very naturally inferred that it was the emperor's intention to deprive him of his hereditary possessions, in order to bestow them upon one of his younger sons. Whatever may have been the foundation for his suspicions, the event was equally fatal to Albert. The young prince brooded over his wrongs in secret, and persuaded himself that the injury could never be expiated except by the blood of his uncle. He resolved upon the deed, and looked round him for assistance. The emperor's unpopularity made it easy for him to find such powerful accomplices, as suited his purpose. Ulric of Palm, Walter of Eschenbach, Conrad of Taggerfeld, and Rodolphus
of

of Wart, at the suggestions of John, undertook the deed of blood. It was resolved to assassinate Albert in his way from Baden and to Rheinfelden, whither he was to travel on the first of May. Just as he had passed the Reufs, near Windisch, and was separated from the main body of his attendants, they assailed him unawares. John led them on, and as he struck the fatal blow, emphatically exclaimed, **RECEIVE THE REWARD OF THY INJUSTICE.**

The consternation, occasioned by this atrocious act, was universal. But as men began to recover from their first impression, their judgments were in great measure directed by their interests. So that while one party loaded the conspirators with the execrations they merited, the other viewed their conduct with a less indignant eye, and even attempted to palliate the crime. The forest cantons were particularly interested in the event, yet they conducted themselves with their wonted prudence, and were wise enough to refrain from any public demonstrations of joy. Other towns in Switzerland, which made part of the contested patrimony, and of consequence reverted to John, were so shocked at the atrocity of his conduct, that they shut their gates upon his approach, refusing to admit a regicide within their walls.

Mean

Meanwhile the Austrian family appeared less active in their pursuit of the assassins, than in that of the vacant crown. It was the great object of their ambition to place Frederic, the eldest son of the late Emperor, upon the throne of Germany; and such was the natural benevolence of this young prince's disposition, that his friends vainly flattered themselves that it might possibly get the better of those unfavorable impressions, which had been excited, against the house of Austria, by the violence of his father's measures. No sooner, however, did they find themselves disappointed, by the election of Henry of Luxembourg, than they began at last to think of revenging the death of their murdered chief; and to this they were still further prompted by the love of plunder, and the prospect of confiscation. Three armies were in consequence assembled under able commanders, which took possession of the estates of the conspirators. Hoping too, by the violence of their persecution, to compensate for the apparent negligence with which it was undertaken, the war was conducted with every refinement of cruelty which can mark a career of blood. Nor were the fatal effects of this vindictive fury confined to the guilty alone. The spirit of interest began shortly to blend itself with the spirit of revenge. Many persons of high distinction, to whom no probable suspicion could attach, but whose political

principles were hostile to the views of Austria, and whose possessions were the objects of her avidity, as well as all the relations of the conspirators, were involved in the general proscription. The empress Elizabeth, and her daughter Agnes (the widowed queen of Hungary), laying aside all the delicacy of the female character, were frequently present at these sanguinary spectacles, animating the executioner in the performance of his office. To enter minutely into a subject, the details of which are disfigured by every monstrous passion, that can deform, and vilify the human heart, and which by no means constitutes an essential part of the present narrative, is a task we willingly abandon. But there is something so peculiarly affecting in the sad destiny of one of these unfortunate sufferers, that melancholy as the tale must seem, we cannot pass it over altogether in silence.

No sooner had Albert breathed his last, than Rodolphus of Wart, fled with precipitation to his own castle. Scarce had he time to embrace his wife, the virtuous and accomplished Adelaide, than yielding to her tender solicitations, he assumed the habit of a pilgrim, and pursuing his way over the rugged precipices of the higher Alps, took refuge at length within the walls of Rome. Meanwhile his disconsolate wife remained at his castle with her infant son, secure in conscious innocence,

nocence, and in the respect which was due to her weaker sex. Too soon, however, she was fatally roused from this dream of peace. The ferocious Agnes approached. The trumpets announced a hostile host. Short and ineffectual was the resistance, which her faithful vassals could make. Numbers prevailed; and Agnes entered over the bodies of the slain. With insulting triumph she hastened to the apartment of Adelaide. The wretched mother laid lifeless over the cradle of her child. Unmoved at the piteous sight, the inexorable queen seized the helpless infant in her arms, exclaiming with savage exultation, "*The blood of regicides shall not escape me!*" Awakened from this state of insensibility, Adelaide wildly started at the terrific threat. But it was only to fall once more senseless at the feet of her persecutor. Any heart, but Agnes's, would have melted with compassion at so sad a scene. But with a stern barbarity, almost incredible in woman, she turned to her attendants, and bade them instantly to dispatch the brat. It stretched out its little hands for mercy. The soldiers paused. Enured as they were to blood, an unknown sentiment of pity got hold upon their hearts. They interceded for the infant. They remonstrated against the severity of the order. They for once seemed inclined to disobey. The queen perceived that it would be unsafe to press them further, and making a virtue of necessity, granted,

though reluctantly, what it would perhaps have been dangerous to deny. The unfortunate Adelaide once more clasped her darling to her breast. A ray of consolation again cheered her palid countenance. But the satisfaction was transient as the passing vision ; and every hope of happiness for ever disappeared, when she learned her husband was a prisoner, and in the hands of his relentless foe.

Rodolphus had been given up, in the most treacherous manner, by the holy see. In a short time, he was brought before the high tribunal, which had been instituted for the express purpose of trying the murderers of Albert ; and was condemned to be broken alive on the wheel, on the very spot where the deed was perpetrated. The sentence was executed with the utmost rigor, and the miserable victim left to his fate.* For three days, and nights, did he languish in this state of excruciating torture, during which he evinced the most unshaken fortitude, disdaining to utter a groan, or to gratify the ferocity of his enemies by the slightest indication of suffering ; discoursing calmly with the astonished spectators, and denying that he had been guilty of any crime. He triumphed, he said, in having been instrumental to punish an usurper, who had bathed his sacrilegious hands in

* Stumpf. Muller, Stretler.

the blood of his lawful sovereign, the emperor Adolphus. With equal magnanimity, did the beauteous Adelaide continue on her knees, before the scaffold, in a posture of motionless grief, without food; without covering, during the whole of this agonizing scene, praying to heaven for her husband's soul, after she had in vain implored the remorseless Agnes, to put an end to his sufferings by one compassionate blow. At length expired. 1309. hausted nature stood his friend; and no sooner did she behold him at ease, than she wandered on foot to a convent, at Bale, where she ended her wretched days in a paroxysm of affliction.

The forest cantons were not only delivered from an active and dangerous enemy by the death of Albert; but found a friend and patron in his successor. Henry began his reign by granting them a confirmation of all the privileges which they had enjoyed under the most partial of his predecessors. A favor which was peculiarly grateful, in their present situation, as it could be considered in no other light, than that of a tacit approbation of their former conduct. In return for so flattering a mark of royal bounty, and in token of their gratitude, they sent a reinforcement of three hundred men, to accompany the new emperor in his expedition to Rome; an aid which proved of more material

material service, than it may at first sight appear, as the example was imitated by many of the neighboring states.

Previous to his departure for Italy, Henry had vainly imagined to have established the tranquillity of Switzerland upon a permanent basis. But scarcely had he passed the Alps, when the old animosities began again to revive, between the forest cantons and the monks of Einsiedlen; in which the Austrian provinces seemed indiscreetly forward to take a part.

Soon after his accession, the emperor had appointed Rodolphus of Rapperfswyl (who was descended from a collateral branch of the house of Hapsburgh) to the office of imperial bailiff, over Zurich, the Thurgau, Uri, Schweitz, and Unterwalden; but with the express injunction to conform implicitly to all ancient usages, and, in particular, to beware of infringing the privileges which he had so recently confirmed. Rodolphus executed his trust with integrity and discretion, during the short period he was permitted to hold it. For no sooner did the house of Austria discover, that he was a man of too elevated a spirit to devote himself blindly to their service, than they left no means untried, till they had prevailed upon the emperor to dismiss him, and to substitute
Everard

Everard of Burglen, a creature of their own, in his place.

A late writer seems to have been desirous of placing the conduct of the Swiss in a suspicious light, and to have intended a vindication of the house of Austria. But nothing more, in our opinion, can be necessary for the complete justification of the former, or can shew the designs of their adversaries in a more odious point of view, than the terms of amity upon which they lived with those emperors, who were unconnected with the politics of Switzerland, and had no hereditary possessions in that country. The reigns of Frederic the second, of Adolphus of Nassau, and of Henry of Luxembourg, bear ample testimony to the truth of this assertion. But the restless ambition of the Austrian princes proved a constant source of disquietude, and alarm. No sooner had they succeeded in removing Rodolphus, and in nominating as his successor a person entirely in their dependence, than they began to renew that vexatious system, which had been pursued during the reign of Albert. The forest cantons, whose eyes were ever fixed, with the most jealous attention, upon the proceedings of their old and implacable foe, thought it high time to put themselves in a posture of defence. For this purpose, they fortified the most important passes, particularly that of Stanstad

On the lakes of Lucerne; where they erected a small fort. No sooner was the governor of Lucerne made acquainted with what had been done, than he resolved upon an attempt to take it by surprize; not doubting that his conduct would receive the sanction of the master's approbation, provided he was successful in the attack; and of this he felt perfectly secure. A party of troops were in consequence embarked upon the lake, in the evening. They were to arrive under the walls of the fortress, at the dawn of day, which they were immediately to scale, before the little garrison could be prepared to receive them. But the vigilance of their enemy was not to be lulled by any apparent security. The guard discovered them, as they approached the shore. The alarm-bell sounded. From every quarter the people ran to arms. In an instant the assailants were repelled. The vessel, which brought them, was sunk by an enormous stone; and the greater part of the detachment, either put to the sword, or drowned in their attempt to escape.

These petty hostilities, the odium of which was naturally thrown upon the over-active zeal of inferior agents, would, in all probability, have been easily glossed over, without any further effusion of blood, had not the death of Henry, which happened unexpectedly, after a short reign of four years

years and seven months, produced a total change in the aspect of public affairs. Two princes immediately declared themselves candidates for the vacant throne—Lewis duke of Bavaria, and Frederic of Austria. The contest was carried on with great animation on both sides, but terminated in favor of the former. The Swiss in general, and the forest cantons in particular, had viewed the struggle with anxious expectation; and no sooner was the event of the election known, than they manifested their joy with a degree of warmth which bordered upon indiscretion. So open a display of hostile sentiments gave umbrage to Leopold, who was the younger brother of Frederic. This prince had already distinguished himself in the Italian wars, and panted for an opportunity of adding fresh laurels to those he had already acquired. Nor was a plausible pretext wanting. The differences, which had so long subsisted between the monks of Einsiedlen, and the forest cantons, were an inexhaustible source, from whence ambition might at all times derive a specious plea for injustice. And it was in quality of *advocate* of that wealthy monastery, that Leopold declared his intention of vindicating their rights by force of arms.

The citizens of Zurich, who foresaw the consequences which might arise from an open rupture, exerted

exerted all their influence, and authority, to allay the rising storm ; and had so far accomplished this important point, that they prevailed upon both parties to submit their pretensions to an arbitration. But their benevolent purpose was rendered vain by the imprudence of their allies. The religious society of Einsiedlen was composed only of persons of noble birth. The prevailing prejudices of aristocracy had long taught this illustrious body to view the greater part of the inhabitants of the forest cantons with an eye of contempt. They seldom met, but a quarrel ensued. In one of these accidental rencontres, a young friar having behaved with uncommon insolence towards two respectable inhabitants of Schweitz, the republican pride took fire. The affront was considered to be national, and regarded as an infringement of the treaty. Convinced that no reliance could be long placed upon the professions of a fraternity, whose actions appeared to be governed by no fixed principles of justice ; and finding that the abbot, though apparently desirous of an amicable accommodation, wanted authority to carry any point of consequence, they came to a resolution of depending no longer upon the slow and uncertain effects of negotiation, but of having recourse to a more speedy remedy. Every thing, therefore, being prepared for the attack, they fell upon the convent in the dead of night, and carried off the most obnoxious

noxious of it's members, together with a considerable booty, by way of indemnity. Nor were they prevailed upon to set their prisoners at liberty, till they had received the most positive assurances, that no appeal should be made to the imperial diet.

It is, indeed, no easy task to vindicate the conduct of the assailants upon this occasion, who appear to have acted from the impulse of the moment, without sufficiently reflecting upon the consequences of their imprudence. These, however, were serious beyond their expectation. For the Zurickers were so highly offended at an act, which they looked upon, with some appearance of reason, as a direct violation of the truce, which had been effected by their mediation, that they publicly declared their intention of interposing no longer in their favor, but of leaving them entirely to their fate.

Each party now prepared for war. As a prelude to which, Frederic of Austria prevailed upon the bishop of Constance to excommunicate his adversaries, for their late sacrilegious outrage against a religious house of such celebrity. While he, not having as yet renounced his pretensions to the imperial crown, took upon himself to declare them under the ban of the empire. On the other hand, the emperor Lewis, who at this time favored the forest cantons out of rivalry to the house of Austria,

Austria, by his influence with the archbishop of Mentz, procured the interdict to be taken off, while by his own authority he absolved them from the imperial ban.

Leopold meanwhile was exerting every nerve to ensure success to his intended expedition. The town of Baden was appointed for the general rendezvous of his troops, which were drawn from the remotest provinces of the Austrian dominions. At the head of a numerous army he determined, in person, to enter the territory of Schweitz, by the defile of Morgarten, while a body of four thousand men, under the count of Straßberg, was destined to traverse the mountains of Unterwalden, and to take the enemy in the rear.

The forest cantons began now to be fully sensible of the danger to which they were exposed, and discovered, too late, that they must look for no support, but what they could derive from the energy of their own exertions; as Lewis, notwithstanding all his mighty promises, was by no means in a situation to afford them any effectual aid; and the formidable preparations of Austria had spread so general an alarm, that none of the neighboring states had courage to move in their defence. Determined, however, to perish gloriously rather than submit to dishonorable conditions, they re-
jected

jected with disdain the offers which were made them, by the count of Toggenbourg, in the name of Leopold ; but which, in fact, were of such a nature, that nothing but hopeless distress, or a spirit vilified by habitual slavery, could have induced any people to listen to them with patience. In such a situation despair gives courage to the most undecided. Not a symptom of irresolution was to be met with. Not a heart but kindled with the flame of patriotism ; not a voice but joined in the general cry, *of death or freedom* : nor were any precautions omitted, which were thought conducive to security. The favor of heaven was courted by fasts, and processions. The passes were fortified with diligence. The youth was trained to the exercise of arms ; while every citizen, capable of wielding a sword, was summoned to the standard of liberty. Yet after every exertion, the whole force which they could muster, according to the best authorities, amounted only to thirteen hundred men. Of these Uri furnished four hundred, Schwitz six hundred, and Unterwalden three hundred. But still this diminutive army was animated with a spirit, unknown to the mercenary tools of despotism. With perfect resignation they looked forward to the event of the approaching battle, which must decide their destiny for ever ; conscious of having discharged their duty to posterity, and secure of never living to witness the chains which

which adverse fortune might impose upon their country.

In this temper of mind, it was resolved that they should march to the confines, and meet the enemy, whose route was no longer a secret. On the evening, which preceded their departure, a body of fifty Schweitzers, who during the late troubles had been condemned to exile on account of their political opinions, presented themselves unexpectedly before their astonished countrymen, and claimed the privilege of expiating, with their blood, the errors they had been induced to commit. It was an established law, in the forest cantons, that all decrees against traitors were irrevocable. And such was the attachment of this magnanimous people for all ancient forms, that notwithstanding the vast importance of such a reinforcement, the offer was rejected with firmness. Suspicion might perhaps have some part in the refusal; but whatever may have been the cause, the Schweitzers remained inexorable, and commanded the banished men to quit their territory without delay.

Convinced of the inefficacy of all further remonstrances, they feigned compliance, resolving secretly to prove themselves worthy of the honour, for which they had in vain petitioned. No sooner, therefore, were they conducted to the frontiers,
than

than they placed themselves in ambuscade upon the summit of the mountain, which commands the pass of Morgarten, where by their well-directed exertions, they in great measure decided the fate of their country.

It was on the sixth of November—a day ever memorable in the annals of Helvetia—that Leopold attempted to penetrate, through the defiles of Morgarten, into the territory of a people, who were scarcely known beyond the confines of their own state. He was at the head of an army, which considering the inferiority of the force against which it was destined to contend, might with some appearance of reason be deemed *invincible*. The inequality of numbers,* the difference in point of arms, as well as in military tactics, the circumstances of the combat, no less than the manner in which it terminated, combine to place the battle of Morgarten among those extraordinary events, which sometimes give an air of fable to the best authenticated facts, and which, if celebrated by the pen of a Thucydides, or a Livy, would have rendered the defenders of Helvetic liberty as much

* Tschudi represents the Austrian force at only 9000. Vitodurans makes it amount to 20,000. Several other writers calculate it at 15,000, which is nearly the medium between the two extremes, and therefore probably more accurate than either.

the objects of our veneration and applause, as Decius devoting himself for the safety of Rome, or Leonidas dying in the straits of Thermopola.

Cased in complete armour, and almost secure from the possibility of a wound, the Austrian cavalry moved forward like an iron wall, while the Swiss infantry, furnished only with offensive weapons, waited their approach in anxious expectation. The flock of such a body, in an open plain, which would allow of their moving in a condensed mass, even according to the common laws of mechanics, would have borne down all before it. But it must be confessed that their powers of acting were greatly circumscribed by the nature of the country. Yet notwithstanding all disadvantages, their superiority was so decided, that it appeared not within the reach of accident to retard their progress.

It was at the head of this formidable host, that Leopold, elate with anticipated victory, moved forward at the dawn of day. The glittering arms, the floating plumes, the neighing steeds, gave an air of triumph to his march. His cavalry, composed of the most illustrious personages in his dominions, led the way. The infantry pressed close behind, as if they were apprehensive, that by the smallest delay, they might lose their share in the glories

glories of the field. No sooner were they arrived at the narrow pass, between the little lake of Egeri, and mount Sattel, where the only practicable path, hewn out of the native granite, hangs suspended over the silver flood, than the fifty exiles who (as we before remarked) were posted on the summit, began to roll down immense fragments of rock from the impending cliff. These were accompanied with an incessant shower of smaller stones. Terrified and bruised, the horses broke their ranks. The efforts of the horsemen were ineffectual. Neither caresses, nor blows, could persuade them to advance. In an instant the whole troop was in confusion. The greater part rushed back upon the infantry, who were prevented, by want of space, from opening their ranks to give a passage to the disordered horse. The tumult was without remedy. The mighty masses hailed with increasing ruin. The foot were either trodden under the hoofs of the unruly couriers, or in their efforts to save themselves, they hurled the affrighted knights into the fathomless abyss. The little handful of confederated Swiss beheld with astonishment the scene before them, scarce daring to believe it real, and seizing the propitious moment, rushed upon the disordered foe with their swords and halberts, while by the closeness of the attack, they rendered useless the long spears, which were the most formidable weapon of the cavalry.

VOL. I.

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Thus,

Thus, in the space of a single hour, was the victory complete ; and all the mighty projects of Austrian ambition dissipated like the mountain cloud. The loss of the vanquished was prodigious. Tschudi, an author never known to exaggerate, estimates that of the cavalry alone at more than a thousand men ; the greater part of whom were of noble families. Other writers make it amount to a third more ; and neither calculation includes those who perished in the lake, the number of whom must have been considerable.

The joy, occasioned by this important conquest, was still more enhanced by the trifling loss with which it was purchased ; and which is universally allowed not to have exceeded fifteen men. No sooner were the triumphant Swiss returned from the pursuit, than falling on their knees, they poured forth their thanks to Providence upon the field of battle, for this signal instance of divine favor. On the same spot they remained till the following morning, still mistrusting their fortune, and expecting, every moment, that the enemy would renew the attack.

In this situation, a messenger arrived with intelligence, that the count of Strasberg, having crossed the *Bruning* with four thousand men, had penetrated as far as Sarnen, and was laying waste
the

the country with remorseless fury. The account was no sooner received, than the men of Unterwalden, accompanied by a reinforcement of one hundred Schweitzers, crossed the lake with a favorable gale. Upon their landing, they were informed that the Austrian forces were dispersed in detached parties, plundering and carrying off, whatever they could find. Nothing more fortunate could have occurred. Without loss of time, they marched in search of the foe; fell upon a body of near thirteen hundred men, which was occupied in pillaging Stanz, and in spite of numbers, forced them to retire with precipitation, leaving all their booty behind. Elate with success, and thinking nothing too arduous for courage to achieve, they scarce allowed themselves a moment to breathe, but flew to meet the Austrian general, who was posted near Kufnach with the greater part of his army. It is a remark of Tacitus, *that fear operates first upon the fight* ;* nor was the truth of the observation ever more fully exemplified than in the instance before us. For no sooner did the count behold the banners of Schweitz, and hear the shouts of victory, than suspecting the fatal issue of the battle of Morgarten, he was seized with a sudden panic, and retreated, in disorder, over the mountains, to Lucerne.

* Primi in omnibus præliis oculi, vincuntur. Tac. Germ. c. xliii.

Thus was the independance of the forest cantons established by two successive victories, which were obtained, on their part, almost without the loss of blood. For a time, at least, all cause of apprehension ceased, their duty to their country was fulfilled, and they had now perfect leisure to indulge the less nobler passion of resentment, in the punishment of those, whom they regarded, with some degree of justice, as the authors of the war. The monks of Einsiedlen were the devoted objects against whom their fury was directed. An incursion was made upon their territory, and a very considerable booty carried off. Having thus given way to an emotion which is natural to the weakness of man, the consequence of which was to draw upon themselves the censures of the Romish church, a more pleasing duty remained to be fulfilled, in the just remuneration of those brave men, to whom they were bound by every tie of gratitude. With universal jubilee were the gallant exiles now welcomed back into the bosom of their country, and re-established in all the rights of citizenship, a recompence they had nobly merited. As a religious people, too, whose minds were unsophisticated by the pretended lights of philosophy, they felt every possible inducement to turn with rapturous exultation to the divine source, from whose abundant mercy their present happiness was derived. And it was upon this principle, that the sixth of
November

November was set apart, as a solemn festival to commemorate their almost miraculous delivery to the latest posterity;* a custom which was religiously observed by their descendants till within these few years, in all the simplicity of ancient manners.

Glorious as were the circumstances which distinguished the victory of Morgarten, yet was it looked upon, by prudent men, rather as a brilliant triumph, than as likely to be productive of any permanent benefit. The period of their fall was indeed procrastinated by the valor of this intrepid people, but it could never be supposed that the house of Austria would give up the contest, or that her power would prove inadequate to the accomplishment of her designs. The disparity of force was too obvious for men of sense to indulge any rational hope. But they were determined to persevere to the last extremity, and having once more assembled, they unanimously declared their union perpetual, which had hitherto been restricted to a limited period.† Yet did they not as yet venture to erect themselves into

* According to Muller, so late as 1776; possibly till every civil and religious institution was overturned by the prevailing mania of philosophical reform.

† This ceremony took place at Brunnen, in Schweitz, on the 6th of December, 1315, and was renewed in 1713.

an independant commonwealth, or to separate from the Germanic body. Their ambition was wholly confined to the preservation of their liberties and of their laws ; which they could not flatter themselves to accomplish, unless by the continuance of peace.

The consequences of the late defeat were severely felt at the Austrian court ; as there were few illustrious families which had not suffered in some of it's branches. Even Leopold himself was so dejected at his ill-fortune, that he abandoned himself to excessive despair.*

In the mean time, Lewis and Frederic (for both of them had assumed the title of emperor), were so fully occupied with their private quarrel, that they found but little leisure to attend to the affairs of Switzerland. The former, however, let slip no opportunity of attaching the forest cantons to his interest, from their known inveteracy to 1316. the house of Austria. At a diet, held at Nuremberg, he put the duke of Austria under the imperial ban ; and at the same time, re-established the ancient feudal connection which

* The following passage is taken from Vitoduranus. Inter quos dux Leopoldus reversus, tanquam *semimortuus* apparuit, *nimiam præ tristitia*. Quod oculis meis conspexi.

had heretofore subsisted between the Germanic body and the forest cantons, and which had been surreptitiously transferred by Albert to his own family, to the prejudice of the imperial crown. Shortly after, and in grateful acknowledgment of so valuable a benefit, they sent a reinforcement of two hundred men to join the imperial army in Italy. The emperor was so pleased with this mark of attachment, that he immediately ratified all their privileges by the most explicit, and liberal declaration. He also deprived the count of Straßberg of the government of the *Hasli-thal*, which was considered as an imperial fief, and bestowed it upon the lord of Weissenberg, who was a firm friend to the forest cantons. By these, and other acts of partial favor, he gained so entire an ascendant over the public mind, that in the subsequent years of his reign, he derived the most material assistance from the active gratitude of this honest people.

The Austrian provinces, which lay contiguous to the scene of action, suffered too severely from the continuance of the war, not to exert every possible means to bring the contending parties to an amicable understanding. And they at length succeeded in a great degree, for though they could not prevail upon Leopold personally to negotiate, during the first

ebullitions of resentment, yet he condescended so far as to leave them at perfect liberty to follow their own inclinations. In consequence of which permission a truce very soon took place.

This, however, was by no means sufficient for their purpose. It was obvious that the few privileges, which they themselves enjoyed, had been long an object of jealousy to the house of Austria. Nor could they be ignorant that the moment Leopold should have triumphed over the independant spirit of their magnanimous neighbors, they should themselves be left entirely at his mercy; and it was natural for men in their situation to wish for some better security than that. Impressed with these ideas, they renewed their solicitations in the most fervent language, till the duke of Austria, wearied out by repeated applications, consented to a suspension of arms, for the term of one year. During which, every thing was to be replaced upon the same footing, on which it had been in the reign of Henry of Luxembourg. This was afterwards prolonged for five years.

The channels of commerce were thus once more opened, and an amicable intercourse established between the contending parties. Nay to such a degree did all spirit of animosity subside, that (according to some contemporary writers) many of the

1790

the high minded youths, who had drank too deeply of the cup of glory, to return contentedly to their accustomed toils, were induced to enter into the service of Leopold, and fought with distinction under his banners.

1322. The power of Austria received so severe a blow by the defeat and captivity of Frederic, at Muhldorf, in Bavaria, that all projects of aggrandisement were laid aside for the present. The humiliation of their hereditary foe was peculiarly fortunate for the inhabitants of the forest cantons, as Leopold was now obliged, from political motives, to change his conduct towards them ; and to have recourse to conciliatory measures, in order that he might not leave an enemy in his flank, while all his efforts were directed to the recovery of his brother's freedom.

Anxious also to extinguish every spark of discord, he represented to the abbot of Einsiedlen the necessity of consenting to a reconciliation. And in cases like this, the wishes of a superior in general operate with the force of laws. The abbot was too weak to consult his own inclinations, so that in spite of all the acrimony of baffled pride, he had nothing left but to obey.

As

1323. As the period approached for the termination of the armistice between Leopold and the forest cantons, Lewis artfully suggested that the moment was now arrived when they might take ample vengeance for their former wrongs, and that by uniting with Berne, their combined forces might give a blow to their common enemy, which he would with difficulty recover. Finding however that they were indifferent to the suggestions of ambition, and turned a deaf ear to the proposal, he represented to them the great advantage he should himself derive from such a confederacy, though they should take no active part in the quarrel; and that they might thus render an essential service to him, without the smallest hazard to themselves. These arguments were effectual; for though unwilling to risque a certain good in the chimerical pursuit of glory, they felt their obligations to Lewis, and were happy in an opportunity of testifying their gratitude. The emperor too on his part was equally liberal. He was acquainted with their predominant passion for independence, and omitted no opportunity to gratify it.

The office of imperial bailiff was, however, still in existence; but it was vested in hands from which they could have nothing to apprehend, and with the express declaration, that they were no further

further bound to obey the authority of their governor, than was consistent with the privileges which they enjoyed as members of the Germanic body. This circumstance is the more deserving attention, as it is the last instance of the kind. The employment indeed subsisted nominally ; but the persons, by whom it was exercised, were chosen from among the natives, and enjoyed a plenary authority, even in cases which were before referred to the paramount jurisdiction of the emperors. Thus by degrees was a total separation effected between the forest cantons, and the Germanic body. It was a connection by no means favorable to the weaker party ; and had frequently exposed them to imminent dangers from the artful attacks of an aspiring and powerful prince, but had scarcely ever been productive of any material benefit.

1324. Such, however, was the restless spirit of the Austrian princes, that no lessons of experience, however severe, could long curb their enterprising ambition ; and no sooner were they disappointed in one scheme of aggrandisement, than they turned with eagerness to another. Nor were their projects always combined with that sagacious prudence which is indispensable to success. In the cause of justice men may struggle against adversity with honor and reputation, but it is good fortune alone which can palliate usurpation, or give a deceitful

ful splendor to acts of treachery and violence. A fruitless attempt made by Leopold to surprize the town of Constance was of this description. The failure was disgraceful, and induced the inhabitants to enter into a close alliance with Zurich and Landau, and to declare in favor of Lewis. The contest, however, was not of long duration. For the Austrian power had not as yet recovered the defeat at Muhldorf, and Leopold finding himself unsuccessful in every attempt to procure his brother's enlargement, was at length reduced
 1325. to the humiliating necessity of acknowledging his rival's claim to the imperial crown. Upon which Frederic was immediately set at liberty.

1326. Leopold survived this bitter mortification but a very short time. Nor did Frederic outlive him long. So that of Albert's numerous progeny, two sons alone remained, to divide the ample succession,—Otho and Albert. A partition almost immediately took place, when Suabia, Helvetia, and Switzerland became the portion of the former.

1327. Lewis having at length established an apparent calm, and thinking himself secure from every danger on the quarter where he had most to fear, embarked too rashly in those schemes of ambition which have at all times been productive
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of such fatal consequences to the strength of Germany ; and entered Italy at the head of a formidable army. Few occurrences in the annals of human weakness, reflect more poignant satire upon the vanity of mankind, than the sacrifices so repeatedly made by the chiefs of the empire for the attainment of an object which presented nothing real—nothing captivating to ambition—nothing productive of power. But which may be classed with justice among those splendid chimeras, which in all ages, and in all countries, have not only seduced the weak, and giddy, from the paths of prudence, but have too frequently served as stumbling-blocks to the wise. But the honor of receiving the imperial crown in the capital of the Cæsars was a temptation too strong to be resisted by princes, whose intellectual faculties were even superior to those with which Lewis appears to have been endowed. Yet no sooner had he crossed the Alps, than the imprudence of his conduct became manifest to the dullest apprehension. The tranquillity which prevailed in Germany at the time of his departure, was established upon the precarious basis of terror. The acrimonious humors were kept under by the constant use of strong and active remedies, but no radical cure had been effected. The leaven of discontent remained, and little was wanting to put it once more in a state of fermentation. Besides, the papal faction, whom

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a reciprocity of interests had more nearly connected with the partisans of Austria, waited only for a favorable moment to declare themselves ; and the absence of the emperor, which was peculiarly impolitic at the present crisis, seemed to afford them every advantage that they could possibly desire.

1328. Meanwhile Lewis continued to advance with rapid steps into the heart of Italy. He had not only received the crown of Lombardy, from the hands of the bishop of Arezzo, at Milan, but in spite of all the intrigues, and all the resistance of John XXII, had penetrated without loss to Rome. He was there welcomed with every demonstration of tumultuous joy by the *Colonna* faction, and crowned in St. Peter's church by the patriarch of Venice.

During his abode at Rome, Lewis hazarded a step, at which the boldest of his predecessors would probably have trembled. For in defiance of all the anathemas which were thundered against him by the indignant pontiff, he summoned John to appear in person before his tribunal, and to answer to the accusations which were brought against him. The pope, as we may easily conceive, had the precaution to keep out of the way. Upon this the emperor proceeded to his trial, and in a general assembly of the princes and prelates of the imperial

rial party, having declared him guilty of every crime which was laid to his charge, he pushed his resentment to the utmost extremity, and even ventured to pass sentence of death. John revenged himself by vomiting forth excommunications and interdicts against the emperor, and his adherents, with the single exception of the poet Petrarch. For such was the tribute paid to genius by a man, who according to the writers of the Gibelin faction, had been guilty of every crime.

Lewis having thus carried every thing before him in Italy with absolute sway, began to turn his thoughts once more to Switzerland; and being desirous of giving to the forest cantons a signal mark of favor, he published an imperial rescript, confirming all their former privileges in the most precise and satisfactory terms. A league
 1329. too, which had lately been formed by the towns of Strasbourg, Bâle, Zurich, Berne, Fribourg, Constance, Lindau, St. Gall, Uberlingen, and Ravensburg, for their mutual security, received strong assurances of patronage, and protection. The object of this union was evidently levelled against the house of Austria, and upon that account it had an additional claim to the
 1330. emperor's countenance. Austria, however, had just acquired a very considerable accession

sion of power in Switzerland, by the death of the count of Homburg, from whom, in default of male issue, John of Hapsburg had inherited the march of Rapperfwyl. The situation of the town of Rapperfwyl, with respect to Zurich, rendered it an object of peculiar importance to a family, which viewed the rise and progress of Helvetic liberty with anxious jealousy. Nor was Otho satisfied till he had prevailed upon John, who was a weak and indolent prince, to resign this newly acquired state in his favor, and to hold it of him as his *liege* lord.

A circumstantial detail of Lewis's expedition to Italy enters not within the compass of the present work. It will be sufficient to observe, that it terminated, as enterprizes of this nature have usually done, in the disgrace, and disappointment of the Germans. During his absence, the Austrian faction, animated by the exhortations, and excited by the emissaries, of Pope John, had recommenced hostilities. The imperial forces, exhausted in the Italian wars, were no longer in a situation to face their adversaries. So that Lewis was in a short time reduced to purchase peace almost upon any conditions, which his enemies thought fit to impose. But fortunately for the emperor, the necessitous state of the Austrian finances had tempted
Otho

Otho to confine his demands entirely to a pecuniary consideration. The sum was indeed considerable, and reduced Lewis to the greatest straits. He had recourse, however, to a system which was no ways uncommon in those days of fiscal ignorance, and which had been resorted to by Rodolphus, with very great success, with respect to the Italian states. The imperial claims upon Shaffhausen, Rheinfelden, St. Gall, and Zurich, were made over to the house of Austria, as an equitable consideration. A proposal to which Lewis more readily consented, as he was highly offended with these towns, for the indifference which they had manifested towards his cause, during the late contest. They, however, considered this treaty to be an infringement of their chartered rights, and objected in the strongest terms to the exchange. By this opposition the negotiation was protracted for some time. But at length, by the intercession of the forest cantons, and the remonstrances of the bishop of Constance, Zurich, and St. Gall, obtained the wished for privilege of continuing under their former government, while Otho was prevailed upon to accept of Brissac, and Neuberg by way of equivalent. But the latter city, encouraged by the successful struggle of Zurich, was preparing to pursue the same line of conduct, when Otho determined to put a stop to all further resistance by one striking act of severity,

1331. sent a strong detachment to take possession of it by force. And being master of the town, he treated the inhabitants with so much rigor, as a punishment for their opposition, that the other three cities thought it advisable to avoid the storm by a prompt submission.

CHAPTER VII.

General Spirit of Discontent—Lucerne joins the Confederacy—Abbey of Dissentis—Zuric—Berne—League of the Nobles—Erlach—Battle of Laupen.

THE example of the forest cantons, as it is natural to suppose, produced a very sensible effect upon the public mind. The neighboring states, which had hitherto submitted without enquiry to the form of government under which they were placed, by that combination of circumstances, which is so frequently, and so erroneously characterised by the appellation of *chance*, began now seriously to examine into the principles of all civil associations—and in such cases, from investigation to action the passage is short, and the transition rapid.

To keep mankind in a state of ignorance, experience has shewn to be a less difficult task, than a philosophical analysis of the human intellect would lead the theorist to suspect. But to *unteach* them what they once have learnt—or in other words, to efface from the tablet of the human mind those

ideas, which observation and reflection have once imprinted there, is an enterprize beyond the reach of despotic power, even when combining with it's most active allies, superstition and priest-craft. It is the same with respect to liberty. Let a people once taste the charms of being free, and no chains can hold them long. The terrors of martial law, a ferocious soldiery, with all the concomitant horrors of wheels and gibbets, may stifle the voice of complaint, and establish for a while that awful and tremendous calm, which by the tools of tyranny is miscalled *submission*. But no sooner are the troops withdrawn, than the flame will burst anew ; while the explosion becomes violent in proportion to the compression it has before experienced.

With a vigilant, and jealous eye, did the Swiss observe the conduct of the house of Austria. A defeat, a concession, an oversight—every thing, in a word, was turned to the advancement of liberty ; while every progressive step that was gained, was never to be trodden back.

It is besides one consequence of an arbitrary government frequently to accelerate it's own downfall by those very means which it employs to prevent it. Rigor is at best but a precarious remedy ; and oftentimes inflames the humors which it is destined

destined to subdue. The conduct of Albert, and of his sons, is a striking instance of this kind. The impolitic rashness of their enterprizes contributed more, in the course of a few years, to the enfranchisement of Switzerland, than could have been accomplished by the gradual progress of philosophical improvement in ten times that space. For while by the unguarded violence of their measures they kindled a general spirit of disaffection among the rising order of plebeians, they almost in an equal degree offended the inferior nobility, by the haughtiness of their demeanor, and the rigor of their exactions. It was fortunate for mankind, that upon this occasion pride got the better of prudence. For without the concurrence of the aristocracy, every attempt towards establishing despotic power was altogether impracticable.

Besides, to such a degree did the ferment spread, that even the hereditary provinces at length caught the infection, and began to reason, and to analyze. The ambitious projects of the house of Austria, as they found from fatal experience, were continually involving them in fresh difficulties with the surrounding states. Even then, they were engaged in a destructive and ruinous war, in which neither inclination, nor interest could have induced them to take a part. Under such circumstances, it was natural for them to turn their eyes with envy to

the situation of a people, who were no longer subject to the capricious will of an arbitrary master. A comparative view of their respective conditions led them by degrees to question the legality of that power, under which they no longer bent in awful silence. The inquiry soon taught them to feel the dignity of the human character, and convinced them that Providence, in creating man, had called him to a nobler destiny, than merely to suffer, and to obey,

It was, however, reserved for the state of Lucerne to give the first signal of resistance. Their contiguity to the forest cantons, made her citizens more sensible of their own degraded state. They beheld with envy the emancipation of their nearest neighbors, and saw no reason why an union, which had been productive of so much happiness to Uri, Schwitz, and Unterwalden, should not spread it's beneficial influence over a more extensive sphere.

The situation of Lucerne is so familiar to those who have visited the lakes of Switzerland, that it can scarce be necessary to observe, that it is built on the western extremity of the lake, and at the foot of Mount Pilate. The convenience of it's position had long rendered this city a *depot* for every species of merchandize, that was transported between Germany and Italy, over the rugged sum-
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mit of the St. Gothard ; which forms the most direct line of communication between the two countries.

In a former part of this work, we took occasion to notice the ancient constitution of government which prevailed at Lucerne before the time of the emperor Rodolphus. During his reign, a very material alteration took place ; as that prince not only dissolved the connection which had subsisted between that town and the monks of Murbach, since the days of Pepin, but likewise deprived it of all the immunities that it enjoyed as an imperial city. Albert, it is true, by way of tranquillizing the public mind, engaged in the most solemn manner never to violate the privileges to which the burghers could legally pretend, in consequence of existing charters. But his subsequent conduct very soon evinced how little confidence was due to the engagements of a prince, whose actions were guided by no other principle but that of ambition. Nearly the whole burden of the war against the forest cantons had been thrown upon them ; during which, all intercourse with Italy was interrupted. And it was from their commerce with the states of Lombardy that the prosperity of the Lucerners arose,

Arguments like these are within compass of the most common understanding. But lest they should

be inadequate to the purpose, a fresh cause of discontent had been lately added, which it was by no means easy to obliterate. Much against their inclination, the inhabitants of Lucerne had been compelled to march to the siege of Colmar, which was undertaken by Otho, during the emperor's absence in Italy. Many objections were started by the citizens, on account of the expence; but they were at length got the better of, and a promise given by the Austrian governor, in his master's name, for the reimbursement of all charges which are incidental to such expeditions. The campaign however was no sooner terminated than a very different language was employed. The pay of the common soldiers was withheld, and all remonstrances upon the subject treated as seditious. Besides this, the liquidation of a considerable sum, which had been lent upon the faith of Austria, was peremptorily refused, under pretence that nothing more had been advanced, than was due by way of legal contribution.

1332. Such repeated acts of injustice might have been sufficient to exhaust the patience of a people born in the trammels of servitude. But the citizens of Lucerne had formerly enjoyed a large portion of independance. They knew from experience the sweets of liberty. In the same persuasive school they had learnt also to regret it's loss.

Determined

Determined no longer to submit to a government from which they had derived no adequate advantage to compensate for the ill-treatment they met with, their views were naturally directed to an union with those cantons which had already shaken off the yoke of Austria.

The first and most obvious step towards the attainment of this object was the suspension of all further acts of hostility. But the nobles, the far greater part of whom were dependant upon the house of Austria, not doubting but that a pacification would eventually conduct to a more intimate connection, left nothing unattempted to keep alive the sparks of jealousy. Finding, however, that their influence began notably to decline, and that the public mind was equally proof against persuasion or artifice, they resolved to set every thing at stake, and by one bold throw either to ruin their adversaries, or to sink themselves. Cabals were in consequence formed, and secret conferences held, among the friends and adherents of the Austrian faction. Various plans were suggested to get possession of the city by force, and to deliver it up to Otho. At length it was agreed that the conspirators should seize upon one of the gates, in the dead of night, and admit *Ramswag*, who was governor of Rottenburg, a town belonging to the Austrian family. They were then to proceed
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against the republican party with the greatest severity, and finally to settle the constitution, as their respective interests and inclinations prompted.

The day was fixed, and every precaution taken to ensure success. When the plot was discovered by one of those unforeseen accidents, which are attributed by the philosopher to the operations of chance, and by the divine, to the interposition of Providence. A taylor's boy, who lay sleeping under the table in a room where the conspirators held one of their nocturnal meetings, overheard the greater part of their discourse. The youth was so alarmed, that he betrayed himself by the violence of his emotions; upon this it was proposed by some of the members, who were present, immediately to put him out of the way, as the only security against a discovery. But as it seldom happens that men are either good, or bad, in the extreme, the majority were for letting him live. Were it not for the inconsistency of the human character, such an act of clemency would be unaccountable in men, who but the moment before had been deciding calmly, and without hesitation, upon the destruction of hundreds of their fellow creatures. Happy to escape, upon a promise of silence, the boy ran immediately to his friends, and gave distant hints of being privy to an important secret, which he was forbidden to disclose. His whole conversation

conversation turned upon seditious assemblies, and armed men, and was accompanied with an air of terror and mystery, which drew upon him the attention of the whole company. Their inquiries were redoubled, and enough being collected to lead them to the place of rendezvous, the house was surrounded, and the greater part of the conspirators surprized. Some few, however, escaped, but thought it prudent, by voluntary exile, to withdraw from the first effects of popular resentment. Thus terminated a project that threatened Lucerne with the most serious consequences, and which had been conducted with such care and precaution, that the enemies of liberty had scarce a doubt of the most compleat success.

All apprehensions of danger being now removed by the flight, or punishment of the adverse faction, the triumphant party now hastened to accomplish the project which they with reason considered to be their only effectual security, by a league with the three cantons of Uri, Schwitz, and Unterwalden.

The perils, and persecutions, to which they had been exposed, appeared to the citizens of Lucerne a compleat justification of their conduct; and indeed could be regarded in no other light by the impartial world. But plausible as these reasons
were

were, it could hardly be supposed that they would prove equally satisfactory to the mind of
1333. Otho. All *opposition*, in the language of a court, is a synonymous term for *rebellion*. And there are few reigning families in Europe, who have carried their ideas of prerogative to a higher pitch, than the descendants of Rodolphus. The defection of Lucerne called for exemplary punishment, and orders were in consequence issued to the hereditary provinces, to break off all commercial intercourse with the rebels. They were directed, at the same time, to keep the strictest watch that no merchandize whatever should pass, and to intercept and confiscate it, if destined for the supply of Lucerne.

Hostilities too were immediately commenced, and carried on with every circumstance of rigor, that could give additional misery to the calamities of war. The whole country was laid waste to the very gates of Lucerne ; while the burghers, on their part, omitted no opportunity of retaliating by frequent incursions upon the Austrian territory. Having one day passed the Reufs, and advanced incautiously into the enemy's country, the governor of Rothenberg took advantage of their imprudence, got between them and the river, and falling upon a small party who were encumbered with plunder, put them all to the sword. After
which

which he posted himself in so advantageous a position, as apparently to preclude all possibility of a retreat. But nothing is too arduous for the active valor of a people, who are less impressed with the difficulty of any enterprize, than with the necessity of carrying it into execution. To cut a way through the hostile ranks was their only resource. It was attempted. The Austrian commander was attacked, and routed. In a few minutes he fled, leaving the field of battle covered with the slain. These little skirmishes would be unimportant in a common war, but they serve to shew the determined character of the founders of Helvetic liberty, and prove that no superiority of numbers can avail against the efforts of despair.

Thus the popular party was daily gaining ground. Every little success gave animation to their cause, and taught them to look forward with increasing confidence to more important triumphs.

Among the rugged cliffs of the St. Gothard, not far from the source of the Reuss, lies the peaceful and romantic valley of Urseren. The complicated chain of feudal dependance had rendered this secluded spot subject to the abbot of Disentis; while the strictest ties of amity, and reciprocal obligations had long united it with the gallant inhabitants at the northern foot of the mountain. The
abbot,

abbot, who neither as the head of a religious house, nor as the ally of Austria, could be suspected of partiality for the new principles which were daily gaining ground, determined to break off all connection with a people, who were the inveterate opponents of his favorite theory of passive obedience, and divine right. A mandate was accordingly issued prohibiting all further intercourse between them. But the honest mountaineers, who had hitherto been accustomed to consider those as their truest friends and benefactors, to whom they were indebted for most of the necessaries of life, which were denied them by the nature of their soil, and the temperature of so elevated a situation, were of opinion that the strongest of all ties were those of gratitude. To love our neighbors is a duty inferior to none but our obedience to God; and certainly under that title they were bound to consider those, to whose benevolence they were indebted for most of the comforts they enjoyed. An order therefore so repugnant to the precepts of gospel charity, could not but surprize them from the mouth of a dignified ecclesiastic. Obedience to their superiors they regarded indeed, as a positive injunction, though of inferior importance. But when two obligations came thus in contact, they thought themselves at liberty to adhere to that which appeared to them of the greatest weight. Thus inclination and duty for once combined, and decided the
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the contest in favor of benevolence. The abbot, who was impressed with the highest ideas both of civil, and ecclesiastical authority, considered a refusal in no other light than that of open rebellion, and collecting his vassals with inconsiderate haste, resolved to chastise the rebels into immediate submission. But a reinforcement of two hundred men from the canton of Lucerne soon rendered his project abortive, and forced him to retreat with precipitation, and with the melancholy reflection, that the only effect of his ill-concerted expedition was to have augmented the friends of freedom.

The resolution, and energy, which had been displayed by the forest cantons, under the most trying circumstances, left the Austrian princes but little inclination to renew a contest, from the result of which they had nothing prosperous to hope. Indeed, their resources were now so completely drained by a long series of unsuccessful wars, that every principle of policy concurred in recommending peace, as the only adequate remedy. Princes, it is true, are usually the last persons, who are made acquainted with their own errors. But the voice of truth is ultimately prevalent, and pervades even the most hidden recesses of a palace. An exhausted treasury, a diminished army, the murmurs of poverty, the cries of orphan innocence were such convincing proofs of distress, that Otho could no longer

longer deceive himself. His eyes were opened to the fallacy of the system which he had hitherto pursued; he shuddered at the miseries he had himself brought upon mankind, and resolved to heal the wounds of humanity.

Several of the hereditary provinces had already subscribed to a truce with the forest cantons for five years; not only with the connivance, but with the consent of their sovereign, who 1334. now seemed so fully satisfied of the impolicy of war, that he determined never more to draw the sword. Circumstances too soon furnished him with an opportunity of giving to the world a striking, and unequivocal proof of this pacific spirit. A fresh source of discontent having arisen between the subjects of Austria, and the forest cantons, Otho appealed to the emperor for his decision, declaring his intention of submitting implicitly to the sentence. Lewis upon this summoned the respective parties to appear before his tribunal by representatives, and having heard them with patience, and impartiality, he appointed nine persons, of respectable birth, and acknowledged integrity, chosen in equal numbers from Zurich, Berne, and Bâle, to act as mediators between them.

The arbitration was productive of the desired calm. By a particular convention with Lucerne, it

it was stipulated, that all pretensions on either side, should lie dormant for the space of three years, during which period the Austrian money should retain it's currency, and every thing else be replaced upon a legal footing, according to the equitable example of former times..

The grounds of accommodation with Uri, Schwetz, and Unterwalden were in every respect conformable to ancient treaties, with this single exception, that the emperor named commissioners to examine into the validity of the Austrian claims, and after the most minute investigation, confirmed them by a declaratory act.

The conduct of Lewis, during the whole of this delicate business, does the highest honor to his moderation and equity. For such was the impartiality of his decision, that neither party ventured openly to complain. This treaty, however, notwithstanding it's apparent fairness, was productive of the most important advantages to the citizens of Lucerne. Two points were gained of the highest consequence to their future welfare. In the first place they established a sort of criterion, by which the pretensions of Austria might henceforth be regulated, with some tolerable degree of precision ; and in the second, they had obtained a for-

mal acknowledgment of their league with the three united cantons.

Meanwhile, amid the turbulence of domestic storms, both Zurich and Berne were pursuing with unremitting ardor a well digested plan of greatness. Incessantly occupied, either in defeating the plots of internal traitors, or in resisting the more open attacks of their external foes, every fresh contest not only afforded a fresh source of triumph, but scarcely ever terminated without some territorial acquisition.

But such, alas ! is the destiny of human affairs, that every progressive step towards riches and refinement is equally a step towards corruption and decay. Commercial enterprize is, without any dispute, the parent of wealth, and the truest source of prosperity. But it is perhaps no paradox to assert, that *a spirit of traffic may be pushed too far.* Nor would it be impossible to shew, *that the human mind may be so exclusively engrossed in speculations of trade, as to become indifferent to every other object---even to the preservation of civil liberty.* Every concern of life, in such a state of things, is reduced to calculation. And when accumulating wealth is opposed to declining freedom, it can be no matter of surprize, if in the contracted

contracted judgment of plodding arithmeticians, the former should sometimes preponderate.

The active, and enterprising spirit of the inhabitants of Zurich had produced a disparity of fortune,* which was totally inconsistent with a republican form of government. The freedom of the ancient constitution began insensibly to disappear. The members of the executive power had perpetuated their authority during life: though, in it's origin, it was only annual, and conferred by suffrage. But lest so flagrant an usurpation should pass unnoticed, the senators in general, affected an ostentatious display of aristocratic dignity, which was highly offensive to their fellow citizens. Besides, as the fortunes of the magistrates were, in many instances, inadequate to the expensive stile in which they lived, a suspicion of venality was the natural consequence. With an indignant eye the people beheld this abuse of power. The discontent was general. A reform was loudly called for. And it soon became evident, that they were

* The author thinks it necessary to observe, that it is by no means his intention to insinuate, *that a perfect equality of condition* (the very supposition of which implies an absurdity) *is necessary in a republic.* But only, *that in small commonwealths, such as those of Switzerland, any great disproportion of fortune is repugnant to the very principles by which they exist.*

prepared to rise, the very moment a leader could be found.

RODOLPH BRUN, who was himself a member of the executive government, had rendered himself obnoxious to his colleagues, by a steady and persevering opposition to their ambitious projects. With secret pleasure he observed the gradual progress of disaffection, and omitted no opportunity of recommending himself to public favor by the popularity of his measures, and the apparent interest which he took in the welfare of the meanest individual. His friends too spoke, in all companies, of the responsibility of magistrates; and hinted that the present moment was particularly favorable for the correction of those abuses which time invariably introduces into the most perfect plans of human polity. The state of the public treasury too, seemed to them to demand the strictest investigation. Malversations had certainly been practised. The inquiry was necessary for the justification of the innocent. None but the guilty feared it.

1335. Such doctrines were too congenial to prevailing opinions to be heard with indifference. A regular system of opposition took place. Brun became the idol of the disaffected. And an account was loudly called for. The ruling party, however,

however, were by no means inclined to yield. They had too long enjoyed the sweets of power, not to regret it's loss. Every artifice was employed to divert the public attention, or to sooth the acrimonious humors. Bribes, menaces, caresses, were lavishly dispensed. The vain, the weak, the interested were assailed in the most vulnerable part. But every attempt was equally unsuccessful. Experience and history evince the impossibility of long resisting the current, when the people are resolutely bent upon carrying any point.

From representations and remonstrances, they proceeded to more efficacious remedies ; and having collected before the senate-house in a numerous body, they insisted upon the immediate dissolution of that corrupt assembly. All resistance now became impracticable. The most obnoxious members had no alternative but flight, to save themselves from the indignation of a tumultuous mob ; while the more moderate, making a virtue of necessity, surrendered up their authority without opposition, and returned to a private station.

A committee was immediately appointed to new-model the government upon a more comprehensive scale. An arduous and important

task! yet greedily fought after by the vanity of man.*

In the beginning of August, the whole proceedings were laid before a general assembly composed of all orders of citizens; and before the end of the year a new constitution was prepared, by which the people were admitted to a share in the administration of the republic, though the Patrician families still retained the preponderance. The citizens were divided into thirteen *classes*, or *companies*; each of which elected a *representative*, or *master*, who together with an equal number chosen by the aristocracy, were entrusted with the whole executive power. The legislative authority was vested in a council composed of twelve deputies from each company, and eighteen of the nobility, which united with the members of the lesser council,

constituted an assembly of two hundred
1336. persons. This new form of government

was no sooner sanctioned by the public voice, than it received the approbation of the lady abbess, and was ultimately confirmed by the consent of the emperor. 1337.

* Our own observation must have shewn us, that to *destroy* is an easy task, and within reach of the most common capacity; while to *rebuild* requires a combination of talents, and an extent of views, which nature distributes with a very sparing hand.

Scarce

Scarce had the new magistrates taken possession of their respective functions, than the banished nobles, who saw themselves for ever excluded from all offices of emolument, began secretly to cabal among their former friends and adherents.* But the vigilance of the popular party discovered their intrigues, before the plot was ripe for execution, and by the exercise of a little salutary severity re-established a temporary calm. The evil, however, was far from being eradicated; nor did the hostile faction long want a powerful support.

John, count of Hapsburg, had lately been induced from motives of personal security to enter into a defensive league with the state of Zurich. But as the union, on his part at least, was founded entirely upon interested principles, it was hardly to be supposed that he should so far conquer the inveterate prejudices of birth, and education, as to behold with satisfaction the progressive prosperity of a city, which ranked among the most strenuous advocates of civil liberty. Could he embroil his allies in a war, by encouraging the noble fugitives, the event might prove favorable to his own plans

* Five only of the most odious members of the old government had been condemned to perpetual exile. The rest were banished for different, but limited periods. All of them were, however, equally declared incapable of every public employment.

of aggrandisement. Influenced by such motives, which unfortunately for the happiness of mankind are almost the only ones ever listened to in political decisions, he not only received the exiles with open arms, but, without any previous notice, commenced hostilities, by a sudden invasion of the territory of Zurich. The aggression was so unexpected, and the project so well conducted, that it might have been attended with the most fatal consequences to the rising commonwealth, had not a fortunate combination of circumstances most providentially concurred to avert the impending storm.

Diethelm, count of Toggenburg, was at this time preparing to renew a claim, which had existed for years an hereditary source of discord between his family and the house of Rapperswyl; and was in consequence courting the friendship of the neighboring states. Zurich, both from her topographical position, and on account of her hostile sentiments towards the count of Hapsburg, was naturally among the first to which he addressed himself. Mutual interest, the only secure bond of union between state and state, gave rise to a mutual alliance. It was agreed, that the two contracting parties should begin their attack by falling upon the town of Rapperswyl with their combined forces. The attempt was immediately
made,

made, but the garrison being prepared to receive them, they were under the necessity of retiring, without loss of time. Foiled, but not discouraged, their efforts were next directed against the castle of Grinau, a fortress upon the lake of Zurich, where John had shut himself up, with the fixed resolution of defending it to the last extremity. Finding, however, that the advances of the enemy were slow, and irregular, he took advantage of their supineness to attack their quarters by night, and succeeded so far that they abandoned their camp in the utmost confusion, leaving the count of Toggenburg a prisoner. But no sooner had they recovered from this momentary panic, than they felt all the ignominy of their flight, and resolved unanimously to redeem their honor by rescuing their general, or to perish in the attempt. The battle was in consequence renewed at the return of day, with the most intrepid vigor on both sides. The allies rushed forward with dauntless courage, endeavoring to pierce the enemy's line, and to bring back Diethelm in triumph. Count John, on his part, was no less distinguished by his personal prowess than by his conduct as a commander. He fell at the head of his cavalry, as he was rallying them for another charge. Deprived of their gallant leader, and dispirited by his loss, the troops gave way, and fled in disorder to the fortress. Diethelm was still a captive. No sooner did

did the soldiers perceive him, than all their fury was directed against him. "Let us revenge our gallant leader!" was the general cry. With frantic tumult they rushed upon the defenceless warrior, and pierced by a hundred swords, he fell the victim of their unbridled fury.

A war conducted with such savage ferocity threatened the most fatal issue. But the Austrian princes continued firm in their pacific intentions, and exerted their powerful influence to induce the children of the deceased count of Rapperswyl to consent to a reconciliation with Zurich.

A measure of such manifest prudence received the concurrent support of the emperor, and an accommodation was at length brought about, upon reasonable terms. The Zurickers were induced to restore their sequestered property to the exiled nobles, upon the payment of a stipulated sum by way of indemnification for the expences of the war. Hopes too were held out to them of some further mitigation in the severity of the decree, by which they had been condemned, provided they refrained from all further acts of hostility.

While Zurich was thus engaged in an honorable contest, in defence of her dearest rights, BERNE was struggling with equal perseverance, and still
greater

greater success, against the hostile attacks of her jealous and implacable neighbors. But as the war, in which she was now on the point of engaging, is one of the most memorable, which ever served to display the courage of the Helvetic confederacy, it may not be improper to take a retrospective view of the internal situation of this rising republic, from the beginning of the fourteenth century. Such an inquiry will throw an additional light upon the subject before us, and will besides enable us to form a juster estimate of the respective views of the contending parties.

We have already been made acquainted with the origin of Berne, as a free, and imperial city, and have seen that it's primitive inhabitants were for the most part composed of people who sought an asylum against the persecutions of tyranny. Among these, we may distinguish no inconsiderable proportion of noble families.

It is well known, that at the period which we are describing, persons of illustrious descent had no other occupation but arms. This military genius, which could with difficulty be directed to the pursuits of science, or the speculations of commerce, was wakefully alive to every occasion which afforded the faintest promise of eventual glory. Whatever therefore could be deemed offensive to
pride,

the pride, or injurious to the interests of the state, was seized upon with avidity, and if possible magnified into a valid cause for national interference.

The rapid progress, and growing strength of this flourishing republic excited the general envy of the surrounding states. They beheld with jealousy the prosperity of a people, whose happiness was the result of a government the very reverse of their own, and which reflected the severest censure upon their administration. In enumerating the enemies of civil liberty, it is almost invariably our lot to mention the princes of the house of Austria. As usual they appeared at the head of the hostile phalanx; for having long looked upon Switzerland as the destined prey of their inordinate ambition, every step towards independence was considered to be a fresh invasion of their own prerogatives, *and a fresh obstacle to the success of their designs.*

The citizens of Fribourg were animated with the same spirit of inveteracy. Jealousy had rendered them the determined enemies of freedom, since they had so ignominiously parted with their own.

To these may be added all that despicable tribe of petty tyrants, who swarmed in the adjacent country. Men distinguished only by the violence
of

of their principles, and the atrocity of their crimes. They had long insulted their fellow-creatures with impunity, and were not only the foes of independence, but the declared enemies of mankind.

Fortunately, however, for the prosperity of Berne, the hereditary feuds, which disunited the greater part of her adversaries; were too obstinate to permit them to engage in any common plan. The spirit of animosity in this case prevailed over the suggestions of interest. And it was in general sufficient that a project should have been suggested by one baron, for it to be rejected by another. The house of Austria too, from the beginning of the century, had been occupied with views of higher importance, and had found constant employment for her arms, without interfering in the internal politics of Berne.

Secure from any apprehensions on the part of their most formidable enemy, the Berners experienced but little difficulty in reducing the rest. Castle after castle fell into their hands, and was levelled with the ground. For these prudent republicans, by way of guarding against every possible vicissitude of fortune, resolved, so far as the sphere of their power extended, to efface these receptacles of plunder from the earth.

We

We must not however imagine that this rapid progress in the career of glory was effected without foreign aid. A combination of interests had furnished the republic with powerful allies. Among these we may enumerate the duke of Savoy, the town of Soleure, and the forest cantons. The former, indeed, both from the extent of his dominions, and his internal resources, was capable of affording the most effectual support. But the latter compensated for every deficiency by the energy of their exertions in the field, and their fidelity in observing their engagements. Part of the Valais, the bishop of Sion, with the towns of Morat, Bienne, and Laupen, took part also in the confederacy.*

No means which a well directed policy could suggest, or any favorable combination of events could offer, were neglected by these wary republicans to extend the limits of their rising state. And opportunities frequently occurred for the completion of their darling project. Exhausted by war, or embarrassed through want of economy in

* The league with the Valais bears date in 1250. That with the house of Savoy in 1295, and it was renewed in 1330. With Laupen in 1304. With Biel 1306. With Soleure 1309 and 1351. With the forest cantons 1323: and with Morat 1333. *Settler, Tschudi.*

the administration of their finances, the neighboring princes had often recourse to the wealthy Berners in the moment of distress. The prompt liberality with which they at all times came forward to alleviate the wants of others, rendered their grateful creditors less attentive to the motives, from which this apparent benevolence arose. For in truth, it was only apparent; and proceeded more from political speculations, and a refined spirit of calculation, than from hearts overflowing with charity, and alive at the call of humanity. We conceive, indeed, that there is no instance upon record, of any assistance afforded by the prudent Berners to their indigent allies, except upon such security as rendered the default of payment a most desirable event. Nor were they ever backward in taking possession of the mortgaged territory, so soon as the conditions of the agreement furnished a pretence. They are supposed likewise to have been no strangers to that insidious policy, which is imputed by the Greek historians to Philip of Macedon; and are said to have conquered almost as frequently by their purses, as by their swords.

Ever true to the same principle, they gradually extended their jurisdiction at the expence of their less cautious neighbors; and provided the object was accomplished, they do not appear to have been

been over scrupulous with respect to the means by which it was obtained.

In the year 1308, or four years after the alliance was formed between Berne and Laupen, they got possession of the latter town, by way of security for fifteen hundred marks of silver, lent by the republic to the count of Strasberg. And in 1324, the castle was likewise ceded to them by Peter of Thurn, as security for three thousand marks. Thus too, in the space of a few years, Arberg, Thun, and Burgdorf, became successively the prey of this aspiring commonwealth, by the united influence of arms and money. And so universally was this spirit of ambition diffused among all ranks of people, that funds were never wanting for the aggrandisement of the republic. But if at any time the public treasury was found inadequate to the accomplishment of the object in view, the deficiency was amply supplied by the patriotic donations of a people, in whom the love of their country was paramount to every other passion.*

* A very striking instance of this public spirit was displayed by the Berners in 1384, when they nobly consented to sacrifice a twentieth part of their property, in order to liquidate the heavy debt, with which the republic was at that time aggrieved.

Fully

Fully sensible of the great advantages which must accrue to the republic from this patriotic ardor, and anxious to support a spirit which is the parent of heroic deeds, it was an invariable rule with the government to punish with the most rigid severity, every action which could tend either to diminish the credit, or to sink the reputation of the warlike nobles. In the execution of this duty, they were indeed sometimes led to confound the honor of individuals with the honor of the state, and to revenge their quarrels, or defend their rights with a degree of animosity which frequently bordered upon injustice.* Candor must, however, admit that such partiality was founded upon a principle of gratitude, which did honor to the national character, as it was never prostituted to undeserving objects, but reserved alone for those, who had rendered essential services to their country. This system, besides, was beneficial to the commonwealth in another point of view, for by raising the privileges of the aristocracy, it induced many of the surrounding barons, upon the first

* In 1331, Hans Senno, a distinguished knight, having killed the curate of Diefbach, the republic, instead of punishing the offender, immediately laid siege to the town of Diefbach, under pretence that the friends of the deceased had rejected all overtures towards an accommodation; a strange excuse indeed for an unjust action; but such however as ambition is never at a loss to find!

menace of hostilities, to submit to the power of Berne, and to put themselves, in quality of co-burghers, under the protection of that republic, rather than risk eventual ruin by persevering in the unequal contest. Thus we find the lord of Senn, after the destruction of his castle, becoming a citizen of Berne. Thus too ended a long and bloody contest with the house of Weissenberg, so soon as the prudent chief had suspended the keys of his fortress in the market place of Berne, in token of his submission to the republic. The community of Hasli, over which the Weissenberg family had long presided as imperial prefects, soon followed the example, and yielded to the authority of a people, by whom they had been frequently protected against the tyranny of an oppressive master.

So uninterrupted a career of prosperity gave such animation and energy to the character of the Berners, that they no longer regarded any enterprise as too arduous to be attempted; but marched to battle with a confidence and intrepidity that ensured success. To storm a castle was considered as an amusement for the occupation of an idle hour. It was a school in which the young nobility contended with each other, and imbibed an ardor for martial deeds, as the heroes of Greece were trained to glory in the Isean or Olympic games.

Military

Military exploits, of every description, are wont to command our admiration. By their dazzling splendor they captivate the mind, and scarce leave us leisure to examine into the motives from whence they spring. And yet in fact this constitutes their characteristic merit. It is the justice of the cause alone which can make war a duty. The people who fight for their religion, their liberty, and their laws, are fulfilling a sacred obligation. While the host that moves to battle, allured by the hope of plunder, or tempted by mercenary pay, differs but little from the professional assassin, who murders for the acquisition of a purse. The Decii, devoting themselves for the salvation of their country, however strange such an action might appear in a modern general, will for ever command the sympathetic plaudits of the generous and the brave; while the chimerical enterprizes of Alexander, or Charles the twelfth, may excite the admiration of the vulgar, but can never interest the sensibility of the more enlightened.

Yet whatever may be our sentiments with respect to the policy of Berne, it was scarcely possible for the neighboring princes to contemplate this spirit of aggrandisement with an eye of indifference. Without some effectual exertion, their ruin was inevitable. No alternative was left, but to

fall successively a prey to this ambitious republic, or by a combination of interests, and an union of forces, to check her proud career. A league was in consequence formed, into which most of the surrounding barons, and many of the circumjacent cities were induced to enter, either from motives of envy, or from motives of fear. This confederacy was strongly supported by the house of Austria, and even received the secret countenance of the emperor himself. But such was the idea which universally prevailed both of the courage and power of Berne, that her enemies did not think it advisable to commence the meditated attack, till from the extent and nature of their preparations, they considered her destruction as inevitable.

The situation of Berne became every day more critical. She saw the storm which was gathering in every quarter, and though doubtful of her capacity to resist, resolved to meet it with firmness. It is with pleasure we contemplate her conduct in this trying moment—the welfare of thousands depended upon the decision; for had her enemies prevailed, the Helvetic confederacy must have fallen to the ground, and one of the happiest asylums of civil liberty been blotted from the earth for ever.

Having

1338. Having had occasion to mention the name of the emperor among the favorers of the hostile league, it will be necessary to examine into the causes which occasioned this sudden alteration in his political sentiments, as we have hitherto seen him, upon every occasion, manifest the most striking partiality for the free inhabitants of Helvetia.

Superstition, which is ever the prominent feature of an unenlightened age, formed an essential part of the character of the Berners. No sooner was Lewis fallen under the censures of the Romish see, than they shuddered at the bare idea of maintaining any correspondence with an excommunicated prince. Perhaps too, their minds were not so entirely biassed by religious scruples, as to be insensible to suggestions of a more worldly nature. The moment might appear favorable to shake off every vestige of dependance upon the imperial throne; and deviating from their wonted prudence, they may not have duly considered the incalculable advantage of the emperor's countenance, and support, in every contest with the house of Austria. The defection of his ancient allies, in so trying a situation, carried with it an appearance of ingratitude, which it was by no means easy to excuse. The generous heart of Lewis was fully sensible of the injury. It made a lasting im-

pression upon his mind. He had formerly admired the Helvetic nations as the friends of freedom—he henceforth despised them as the slaves of interest.*

The town of Nidau was fixed upon for the assembly of the confederate princes. The enemies of Berne poured in from every side. Various were their motives of complaint, but unanimous was the resolution of revenging the common wrongs. At the head of the league stood Everard of Kyburg, a dependant of the house of Austria. A

* Though it is by no means our intention to enter minutely into the history of Germany, which would carry us into too wide a field, yet having been led, by the chain of events, to take notice of the animosity which subsisted between the Pope and Lewis, it may not be foreign to our subject to remark the difference which two centuries and a half had produced upon the public mind. Not all the splendid qualities of Henry the fourth could struggle successfully against the presumptuous insolence of an ambitious monk. But in the year 1338, when Lewis had made a last, but ineffectual effort to appease the resentment of Benedict the twelfth, he assembled a diet at Frankfort; when it was declared to be a standing law of the empire, that the person, chosen by a majority of the electors to be king of the Romans, was entirely independant of the papal see; and that neither the consent, nor confirmation, of the sovereign pontiff were in the least degree necessary for the legal exercise of his authority. It was at the same time enacted, to be high treason barely to affirm that the pope had a right to depose the emperor.

man

man of a restless ambition, but of an irresolute temper; abandoning through caprice what he had undertaken hastily. His history is variously related, but it appears, from the best authorities, that having murdered his elder brother, in a domestic quarrel, he took possession of the principality of Thun. An alliance with the commonwealth of Berne appearing at that time, the most probable means of giving stability to his usurpation, he was, at his earnest request, admitted a co-burgher of that rising state. Some pecuniary aid was likewise administered. In return for which, he mortgaged the city of Thun, with all its dependancies, to his new allies. But having at length established his authority upon a more solid basis, and being desirous of recovering the family domain upon the easiest terms, he renounced all connection with the republic, and placed himself at the head of the hostile confederacy.

Rudolph of Nidau, and Lewis of Neuchâtel acknowledged that the Berners had given an asylum to several of their rebellious subjects, and had admitted them to the freedom of their city.

Peter, count of Gruyeres, complained of the non-payment of a debt, which was due to him from the lord of Weissenberg, who proud of his de-

gradation, (for such it was termed by his enemies), had treated all his applications with neglect. Nor had the repeated remonstrances, which he had made to the republic, been productive of any benefit,

Even the town of Fribourg, influenced by a servile complaisance for the confederated barons, appeared in the hostile league, demanding the immediate restitution of the castle of Laupen, which had been lately awarded to them by an imperial decree ; but which the Berners still persisted to retain. In a word, so precarious was the situation of Berne, that every rival state was anxious to seize this opportunity of humbling her pride, and setting bounds to her increasing power.

No sooner had the assembled princes delivered a statement of their respective grievances, than it was voted, by unanimous consent, that the existence of Berne was incompatible with the public safety. That it was clearly the object of that ambitious commonwealth to destroy all the prerogatives of the independant nobility, and to reduce them to the degrading condition of vassals. And that nothing but their intimate union could counteract this dangerous project, and support the cause of aristocracy against such bold and artful attacks.

In

In consequence of this declaration, they confirmed their alliance by oath ; and having mutually engaged to persevere in the contest, till the destruction of the common enemy was accomplished, and having named Gerard of Valangin, the imperial prefect, their leader, they at length separated to prepare for the projected expedition.

So powerful a coalition could not fail to spread universal consternation among the inhabitants of Berne. Nor could they reflect upon the vast disparity of forces, without trembling for the event. Yet they by no means gave way to despair. But determined to persevere to the last extremity, and rather to bury themselves under the ruins of their fortifications, and perish gloriously with arms in their hands, than condescend to terms which were derogatory to their honor, or inconsistent with their independence. However, that they might omit no opportunity of diverting the storm, they had recourse to negotiation, hoping by partial concessions to disunite the confederates. To the emperor, they gave the most unequivocal assurances of fidelity and attachment ; promising, at the same time, to reinstate him in all his just prerogatives the very moment he was reconciled to the church. The counts of Kyburg, Nidau, and Gruyeres, received offers of the most ample indemnity ; although the demands of the second were by no means

means reconcilable with those privileges which had been confirmed by a succession of emperors. But to the Friburgers they appealed as friends; representing, by the mouths of their delegates, the imprudence of their present conduct. In the most glowing colors they painted to them their real interests; which ought to have induced them as an independant people to embark in the same cause with themselves, instead of paving the way for their own subjugation, by the support they were so improvidently giving to the dangerous views of aristocracy.

Not satisfied with these partial applications, they published a justification of their conduct, in which they endeavored, by the most plausible arguments, to shield themselves from the imputation of ambition. They called God, and the whole world to witness the integrity of their hearts, and the equity of their proceedings; asserting that they had never been the aggressors in any war, but had invariably taken up arms in vindication of those rights which nature, and reason taught them to revere. They concluded by affirming, that though nothing was further from their wishes than to disturb the tranquillity of Helvetia, they were resolved to defend their independance against every unjust aggression, and to cease to exist, when they ceased to be free.

The

The reader, we apprehend, will hardly expect that such prudence and moderation could be productive of the most trifling benefit. Confederacies, of the nature of that we are now attempting to describe, have in general other views besides the redress of grievances. And when an attack is once resolved upon, it is not the cry of humanity, nor the voice of truth, which will retard the march of the belligerent armies—On the contrary, every instance of forbearance, on the side of the weaker party, is considered as an indication of fear, and operates rather as a temptation to hasten the attack, than as an inducement to retard it.

Such were now the sentiments of the allies, in the prosecution of which they were still further encouraged by the interested insinuations of the house of Austria. So that instead of listening, with a favorable ear to the overtures which were made, they rejected them with disdain and insult, as is too frequently the case with men, who consider their triumph as secure.

1339. The Berners no sooner found all their efforts ineffectual, than they prepared to meet the storm with becoming spirit. The council assembled under the presidency of John of Bubenbergh, and came to a resolution, *That having done every thing which*

reconciling contending duties, and unwilling perhaps to forfeit his estate, if it be allowable to suspect a patriot of being influenced by worldly motives, he presented himself before the count of Nidau, requesting his permission to fly to the assistance of Berne. The count readily consented, proudly observing, *that in a host, like his, the absence of one man was immaterial.* Erlach withdrew, replying with conscious dignity, *"I hope at least to prove that I am a man."*

The remembrance of his father's deeds, added to his own reputation, at once decided the council to offer him the command. To so flattering a mark of public confidence he replied with that candor, which is the inseparable companion of real merit, and nearly in the following words. *"No one, my valiant countrymen, can be more sensible than I am, to the honor you confer upon me, nor can any one feel more deeply the importance of the trust. Though so lately arrived among you, I am no stranger to the inferiority of your forces, but I am acquainted with your courage also, and knowing that, can I despair of success? Yet before I consent to undertake the weighty charge, I must be assured of the most implicit deference to my commands; for it is no less to the exactness of our discipline, than to the vigor of our arms, that we must look for victory."*

A loud

A loud acclamation, spontaneously bursting from the admiring crowd, testified the general assent. For with God, and Erlach on their side, they were convinced they had little to apprehend. Turning then to his brave countrymen, he inquired, *when they would march*. The reply was, "*to-morrow*"— "*How shall we fight?*" was his next question: they answered, "*to the last man.*"

Nothing now remained but to hasten to the relief of Laupen, which had hitherto defended itself with obstinate courage. In vain the confederates had selected their bravest troops for the assault, the garrison repelled their attacks with a degree of resolution which precluded every hope of taking it by storm. The siege was therefore converted into a blockade. And the allies confident that every attempt to introduce supplies must prove abortive, already looked upon the fortress as their own. Berne, on her part, had not been idle. Deputies had been dispatched into all the neighboring cantons to solicit succors from the friends of freedom. But such was the terror which accompanied the march of the allies, that her applications were in general received with cold neglect; and to forbear engaging in the hostile bands, was regarded as the utmost term at which political friendship could arrive. The forest cantons, however, were not so easily appalled. Ever awake at the
call

call of liberty, they immediately dispatched nine hundred of their bravest warriors to the assistance of their distressed ally—all chosen men, accustomed to face the Austrian cavalry with fearless intrepidity, and animated with an ardor unknown to the venal slaves of despotism. Soleure too sent eighty horse. Her own precarious destiny left no more at her disposal—while the count of Weissenberg led six hundred in person. These, added to about four thousand natives, composed the whole of Erlach's force. To which was opposed an army of not less than thirty thousand men; commanded by Gerard of Valangin, as imperial plenipotentiary, and Rudolph of Nidau, the Austrian prefect. Under these served count Peter of Arberg, Lewis of Neuchâtel, Peter of Gruyeres, with a variety of knights and barons, from Alsace, Helvetia, Suabia, and Burgundy. As yet the count of Kyburg had not joined the confederates; but was occupied in arming his numerous dependants in Alsace, where he possessed a very extensive influence. On the eve before the battle, John count of Savoye arrived in the camp of the allies, attended by one hundred knights. He had been sent by his aged father to mediate peace. But the young nobility were too much elated with their approaching triumph to listen to the proposal. On the contrary, they employed such plausible arguments to persuade the ill fated youth that the
enemy

enemy would submit without resistance, that they prevailed upon him in an evil hour to join their host.

On the 21st of June, at the dawn of day, the army marched out of the gates of Berne---Baselwind, a priest equally respectable for his age, and sanctity, bore before them the consecrated host. The ramparts were crowded with the fathers, wives, and children of those to whom the salvation of their country was committed. They viewed them, in imagination for the last time, as they ascended the hill, and gazed with the tenderest emotions upon the martial band, till intervening woods obscured their progress, and separated them perhaps for ever. Meanwhile the assembled senate waited in anxious expectation for the return of messengers from the field of battle; prepared, in all emergencies, to provide for the exigencies of the state. While the wives, and mothers, prostrate before the altars, implored the protection of their patronising saint for those whom love and duty had rendered the objects of their tenderest affections.

About noon, the republican army took post upon an eminence, at a small distance from the town of Laupen. Here Erlach refreshed his troops.

Nothing material happened during the rest of the day. It passed in awful expectation on the side of the Berners, in exultation and insult on the part of the confederates. While knights from both armies occasionally provoked each other to desultory combats, which served to display the skill and prowess of individuals, without procuring any material advantage to either party. Towards evening the combat began. Conscious of the vast superiority of the enemy in tactics, as well as in numbers, Erlach had recourse to that mode of attack which in more modern times has rendered the scientific display of military evolutions an object rather of parade, than of utility. It was his plan to fight, and not to manœuvre. The men from the forest cantons were, at their particular request, opposed to the Austrian cavalry. It was the post of danger, and was due to their active zeal.

As he led them to the charge, Erlach addressed his troops in a short, but animated speech, which was calculated to awaken courage in the coldest bosom. But his most impressive eloquence was in his own example. He marched undaunted at their head—he shewed them the road to glory; and dastardly must have been the soul, which shrunk from danger with such a leader.*

* Simler, Tschudi.

A select troop, composed entirely of the citizens of Berné, began the attack, by discharging three vollies of stones upon the adverse foot. The shock was violent. The enemy fell back, unable to maintain their ground. But instead of pursuing his advantage, Erlach commanded this body, by a rapid movement, to take possession of an eminence, which the enemy had improvidently neglected to occupy. Nothing now could be more favorable than the position of the Berners. But so precarious is the chance of war, that the very circumstance, which according to the most probable combination of events, ought to have decided the fortune of the day in their favor, had nearly proved their ruin. For the rear of the army, mistaking, through inexperience, the motive of their general's conduct, conceived that the first line had been repulsed, and that they were already retiring from the field. Panic-struck at the sight, they thought it time to provide for their own safety, and fled, without a moment's reflection, to the neighboring woods. The confusion was growing universal. The alarm spread. But Erlach perceived the danger. One expedient was left him. With a presence of mind, which would have done honor to the most celebrated hero of antiquity, he rode through the ranks, and pointing to the fugitives, exclaimed in a tone of exultation—
“*The day's our own! our triumph is decided! For*

“there is no longer one coward left among us.” With these words, he seized the banner of the state, and followed by his chosen troop, he rushed upon the foe with an impetuosity which nothing could withstand.* In a few minutes, the allies were thrown into complete disorder. The fight was no where supported with obstinacy, except by small parties, which had rallied round their respective standards, and still continued to defend them with desperate resolution.

During this sharp contest, the forest cantons were engaged in doubtful combat with the hostile cavalry. The conflict had been supported on both sides with the intrepidity of men who knew no alternative but death, or victory. The scale still hung in anxious suspense, when a detachment of Berners, who were returned from the pursuit, poured down, like a torrent, from the adjacent heights, and took the enemy in flank. Exhausted by the fatigues of the day, their resistance was feeble. In an instant, the field was covered with the carcases of the slain. Horses, and horsemen laid scattered in promiscuous ruin. No hope was left except in flight, and the activity of the conquerors rendered

* Some authors, and Tschudi, among the number, pretend that the Berners made use of iron chariots, to break the ranks of the enemy.

even that precarious. With respect to the numbers which perished in this decisive battle, writers as usual differ. By the Swiss historians they have without doubt been exaggerated; and their own loss proportionably diminished. But even according to the most moderate accounts, the blow was fatal, and purchased with the sacrifice of but little blood.

On the part of the confederates fell the two commanders, with eighty knights of illustrious families.* Among which number, we must include the unfortunate heir of the house of Savoy, whose death was universally regretted, as he came not with a hostile intent. His disconsolate father, to speak in the episodic style of Homer, was now left childless, the victim of his benign intentions. Peter, Count of Nidau, (for it was Rudolph who was killed) upon the first appearance of adverse fortune, fled from the field of battle, after plundering the camp, with the defence of which he was entrusted. At Arberg, he met the count of Kyburg, who was hastening to join the army, at the head of four thousand vassals. Nidau had

* Contemporary writers say eighty crowned helmets, which were the distinctive characteristics of illustrious birth. The whole loss is computed at between three and four thousand.

no excuse for his own dastardly behavior, but in representing the situation of the allies as altogether hopeless; and so exaggerated was his description of the impending danger, that his friend was persuaded to regain Alface, convinced that by advancing, he should only conduct his troops to inevitable destruction, without affording any material succor to his friends.

The satisfaction experienced by the garrison of Laupen, at the unexpected appearance of their triumphant countrymen, is more easily conceived than described. During the whole of the day, they had observed an unusual movement in the camp of the besiegers; but were entirely ignorant of the occasion, till their deliverance was announced to them from the mouths of the conquerors themselves. Having returned thanks, upon the field of battle, to him in whose hand is victory, and performed the last sad offices to the gallant dead, the conquerors returned exulting to their native homes, decorated with the shields and helmets of the vanquished foe, and bearing in artless pomp twenty-seven standards, the well-earned trophies of their glorious success. To paint the effusions of gratitude and transport with which they were welcomed, exceeds the powers of language. They only, who have felt for the return of a son or husband,

hand,

band, from the arduous duties of a military station, can form any adequate idea of the scene. The day was set apart for a solemn festival, to consecrate this important triumph to the latest posterity, and to inspire the love of virtue by perpetuating the memory of virtuous deeds.

CHAPTER VII.

*Frederic of Austria—Friburgers—Death of Erlach—
 Albert of Austria—Death of the Emperor Lewis—
 Charles the Fourth succeeds—Plague—Attempt upon
 Zurich—Zuric joins the Confederacy—War with
 Austria—Siege of Zurich—Duplicity of Queen Agnes
 —War renewed—Glaris joins the Confederacy—
 Dastardly Conduct of Brun—Zug—Renewal of
 the War against Zurich—Truce.*

THE conduct of the Berners, upon this important occasion, was such as the soundest policy would have dictated. The moment was propitious for the accomplishment of their designs. They felt their advantage, and wisely resolved to improve it. The baron of Burgendorf had been one of the most active supporters of the hostile league. He was, in consequence, selected by the gallant republicans to become the first victim of their resentment. A detachment was immediately sent to lay siege to his castle, and he himself was killed by an arrow, as he was reconnoitring the enemy from a window. The fortress instantly surrendered, and was levelled with the ground.

ground. Various predatory incursions were successively made upon the territories of Burgdorf and Nidau, whose haughty lords had deservedly incurred the displeasure of Berne, by an attempt to intercept the provisions which were destined for her markets. Indeed, so prevalent was this system among the baffled adherents of aristocracy, that it was found necessary to send out flying parties to scour the country, and to keep open the communication with the vallies of Unterwalden, from whence supplies were chiefly drawn.

1340. The ensuing campaign was opened, on the side of the Berners, by a successful attack upon the town of Hutwil, a place of some consequence belonging to the Kyburg family. And, such was now the terror which preceded the march of these formidable republicans, that the opposition they experienced was every where weak. The consternation spread by their triumphant arms was general. And, what is usually the case in similar situations, their power became now as much an object of terror, as it had been before a subject of derision. Fribourg first recovered from the universal panic. Frederic of Austria, who had lately succeeded to that part of his father's dominions, which lay in Alsace, in Suabia, and Helvetia, inherited with them the same hatred for every republican constitution, that has invariably characterized

terized the family from which he was descended. Unwilling as yet to take a decided part against the confederated cantons, he confined himself to surreptitious attacks. By his permission, his vassals enlisted under every banner, that was displayed against the cause of freedom. Actuated by such motives, he could not but observe the conduct of the Friburgers with secret satisfaction; and lest the dormant flame should expire from want of aliment, he cherished it with the most positive assurances of his powerful aid. Meanwhile his subjects flocked, from every quarter, to the defence of the city, in case it should be attacked; an event by no means improbable on account of the great preparations which were making at Berne. The martial appearance, and warlike ardor of the Austrians, gave such animation to the reviving spirits of their new allies, that they took courage to venture beyond the precincts of their ramparts. During one of these excursions, they fell in with a small detachment from the garrison of Laupen. An encounter took place, in which twenty-two of the Berners were left dead upon the field. Elevated with this temporary advantage, the Friburgers returned in triumph. But the day of retribution was at hand. Erlach prepared to revenge the affront his countrymen had endured. He put himself at the head of a select troop of horse, left Berne during the silence of the night, and having placed

placed the greater part of his force in ambuscade, in the neighboring woods, he approached the walls of Friburg with a small retinue. At the dawn of day, the citizens beheld them laying waste their farms, and carrying off their cattle. An insult of this kind, from so small a body, was not to be endured. A sally was resolved upon. On a sudden they burst from their gates. The Berners took to flight in seeming disorder, leaving a few stragglers behind. The stratagem succeeded. The Friburgers pursued with intemperate haste; when Erlach having at length drawn them to the fatal spot, gave the appointed signal by a flourish with his sword. The Berners appeared, and in their turn became the assailants. Unprepared for resistance, the enemy was struck with dismay. They dared not fight. They could not fly. Their retreat was cut off. No quarter was given. Seven hundred fell upon the field of battle. Others perished in attempting to pass the bridge; or before the gates, which in the general confusion were shut against them. Erlach's vengeance was complete, and he once more entered Berne amid the shouts, and acclamations of his applauding countrymen. Such was the last public act in the life of this extraordinary man; for he seems henceforth to have retired from all official situations, and to have passed the remainder of his days in honorable repose, upon an estate he possessed at Reichenbach. There
he

he gave himself entirely up to rural sports, and agricultural improvements, declining all civil employments as incompatible with his favorite pursuits. If ever, in the sequel, he took up arms in defence of his country, which is at best uncertain, it was only in the quality of a private knight; for he certainly never again appeared at the head of her armies.

We have hitherto admired Erlach in the character of a warrior alone. To the integrity of his private conduct the confidence of his enemies bears honorable testimony. Rudolph of Nidau, left two sons, who were minors at the time of his death. In the precarious situation of public affairs, the choice of a proper guardian, for the infant princes, was an object of no trifling import. The house of Neuchâtel, to which they were nearly allied, was unequal to the arduous charge. To commit them to the care of a foreign prince, in such an age, when justice was not always the concomitant of power, was exposing them to gratuitous danger. In this dilemma, the name of Erlach presented itself to the imagination with all its splendid accompaniments of military talents and social virtues. Unanimous approbation crowned the proposal; and overtures were immediately made through the bishop of Bâle, to engage him to undertake the sacred duty. Thus was the leader
of

of the hostile bands selected as guardian to the children of him, whom he had slain in the field of battle. The instance, we apprehend, to be unparalleled in the annals of human virtue. It implies every thing that is honorable in the heart of man; and confers a reputation of integrity, to which, perhaps, among the heroes of antiquity, Aristides could have alone pretended. Few men had ever a fairer prospect of closing their eyes in peace. But the ways of providence are inscrutable. A monster existed, in whose inhuman breast, neither the venerable appearance of the hoary chief, nor the grateful recollection of these important services which he had rendered the state, were capable of exciting a sentiment of respect. This monster was the husband of his daughter. John of Rudentz, being upon a visit to his father-in-law, some dispute arose about the payment of the marriage portion. Words ran high. The arguments, on both sides, were supported with indecent warmth. When Rudentz, irritated beyond bearing at the opposition he experienced, savagely seized a sword, and plunged it into the bosom of his weak and venerable father.* It was the very sword which had been so often drawn in defence of his country, and which the aged hero preserved with a kind of religious veneration ever suspended

* This melancholy event took place in 1360.

before

before his eyes, a trophy of his youthful prowess. The wound was fatal. The assassin fled, pursued, like Cain, by the hatred and execrations of mankind, wherever patriotism was an object of admiration, valor of applause, or age of respect. His fate is however uncertain. It appears, indeed, from existing documents, that he did not long survive the atrocious deed, as we find mention made of his wife Margareta, under the character of a widow. And we are informed, that the tidings of this melancholy event no sooner reached Berne, than the impression of horror became universal. Actuated by one common impulse, the indignant populace set out in search of the parricide, who had embued his hands in the blood of their common parent. But whether he fell by the sword of some avenging friend, or paid the forfeit of his crimes to public justice, is a problem we cannot take upon ourselves to resolve.

The severe losses, sustained by the Friburgers, had so much reduced their strength, that their adversaries began to entertain serious hopes of getting possession of the town itself. In a few days after the last battle they presented themselves before it with a formidable force, burnt the suburbs, and set fire to a wooden bridge, which communicated with the city, the greater part of which was likewise built of wood. The flames spread with an alarming rapidity.

pidity. The destruction of the town appeared inevitable. But the spirited exertions of two young and gallant citizens, who risked their own lives in the attempt, put a stop to the dreadful calamity. Frustrated in their design of entering the town during the tumultuous horrors of a general conflagration, the Berners contented themselves with laying waste the open country, and carrying off what, in those days of simplicity, was deemed a valuable booty. These predatory incursions were directed on every side with indiscriminate fury. Whoever was suspected of having favored the league was, in his turn, selected for exemplary chastisement. The barons were insulted in their very castles. Too weak to venture without the walls, or to afford the least assistance to their pillaged vassals, they experienced the most bitter of all humiliations which a haughty aristocracy can undergo—the insults of plebeian pride. Their dependants too, when they beheld these petty tyrants, whose frowns they were wont to regard as the unerring harbingers of woe, timidly shrinking within their ramparts, nor daring to resent the indignities to which they were exposed, began no longer to consider them as the delegates of divinity. The fascinating charm was broken, and respect converted to contempt, so soon as they discovered that the idol of their worship was formed only of clay like themselves.

Queen

Queen Agnes, who, in the convent she had founded at Konigsfelden, was not so entirely occupied in preparing for the other world, as to be inattentive to the concerns of this, contemplated the rapid progress of the Berners with a suspicious eye, and trembled for the greatness of her family. For it was now evident to the meanest capacity, that the projects of this rising republic were no longer confined to defensive operations, but that her ambition expanded in proportion as her power augmented. Besides the house of Austria, with all its adherents, was so completely exhausted by the wars in which they had been engaged, that nothing but a permanent peace could heal the wound. The devout and artful Agnes, therefore, took advantage of the reputed sanctity of her character, to mediate like an intervening angel, whose only object was the happiness of mankind.* By her interposition an armistice was agreed upon between Berne and Friburg, for the limited period of seven weeks, in hopes that, during that short interval of repose, some effectual steps might be taken towards a general pacification.

The flames of war were nevertheless far from being extinguished by this partial suspension of arms. Most of the other states of Switzerland

* Settler.

were either engaged in actual hostilities, or preparing themselves, by new alliances, to meet the impending storm with vigorous resistance. With this intent, the city of Zurich had just entered into a fresh treaty with Constance, Schaffhausen, Bâle, and St. Gall.

1343. Meanwhile Queen Agnès was indefatigable in her endeavours for the re-establishment of peace. All the influence, which age and misfortune combined with elevated rank, and ostentatious devotion, were calculated to inspire, she employed with active zeal; and at length prevailed so far, that a congress was fixed upon, for the discussion of mutual claims. And so weary were all parties of the contest, that, contrary to the usual custom of negociators, they met with a sincere desire of terminating their differences. A reconciliation, in consequence, took place. The ancient alliance between Berne and Friburg was renewed. Favorable conditions were granted to the young counts of Nidau in consideration of Erlach's services; and the treaty between Soleure and Berne, which had hitherto been limited to a short period, was now perpetuated for ever.

1345. But scarcely was the artful mediation of the widowed queen crowned with success, than an event took place which obscured the political ho-

rizon, and cast a transient cloud over the flattering prospect. The two Austrian princes, Frederic and Leopold, were snatched away in the space of a few weeks; when the whole of that important succession was once more united in the person of their uncle, Albert.

At a time, when no regular system could be said to direct the policy of the European cabinets, the death of a prince was an event of the greatest moment in the political world, as it frequently produced a total change in the interests of nations. Albert enjoyed a reputation of wisdom which rendered his future conduct an object of more than common attention. He was no longer in that period of life when judgment yields to the impetuosity of the passions, but of an age when reason possesses her most extensive influence. And the scene before him afforded ample room for it's fullest exercise.

1349. The election of a chief to the vacant empire was, besides, an affair of no trifling importance. Lewis was lately dead. His death in all probability delivered his country from the horror and confusion of a civil war, as a party was forming against him which threatened Germany with the most disastrous consequences.

Charles,

Charles, king of Bohemia, had been chosen by the papal faction to oppose to the deceased emperor, and had been elected king of the Romans during the life of his predecessor. This dignity, it is true, was purchased by the most humiliating concessions to the see of Rome. Nor were the electoral votes exempt from the suspicion of having been biassed by the most corrupt influence. Charles was the son of that venerable monarch who fell at the battle of Crecy, and had been educated at the court of France, where he was distinguished by his personal accomplishments and his military talents. But the means which were employed to promote his election, joined to his political attachments, rendered him so unpopular among the great princes of the empire, that a very violent opposition took place, notwithstanding the high dignity which he had previously obtained. Immediately upon the death of Lewis, a diet was held at Cologne, when the imperial crown was tendered to Edward the third, king of England; who was at that time in the full career of his victories against the house of Valois, and was by far the most distinguished prince in Christendom. Edward is said to have been dazzled by the brilliancy of the offer, and to have requested time for reflection. Meanwhile, he sent the earl of Northampton to examine into the real situation of the German states. But his report proving unfavor-

able, he declined the honor which was intended him. No encomiums we can bestow upon the memory of this great man, can add additional lustre to so glorious a name. But we cannot help remarking, that it is no common thing for a prince, who was by nature ambitious, and fond of war, to reject a situation, which seemed to promise so fair an opportunity of humbling the hereditary rival of his throne. It is an instance of prudence we seldom meet with in the character of a hero. Disappointed in their expectations of opposing so formidable a competitor to the Bohemian monarch, the electors had successively recourse to the most powerful of the German families. But those who, from their hereditary strength, might have indulged the hope of supporting the splendid burden with any tolerable degree of reputation, were unanimous in their refusal to engage in a contest, the event of which was at best precarious. While those of an inferior rank shrunk with conscious inability from the arduous undertaking. Thus, from want of any rival candidate, Charles, in a short time, found himself firmly established upon the imperial throne.

The history of the Helvetic confederacy is at all times so closely connected with that of the German empire, that we thought it necessary to enter into these details, though the accession of Charles was productive

productive of no immediate change in the destiny of Switzerland,

But an evil of another nature, and far more destructive in its consequences than even the scourge of war, threatened not only Switzerland, but Europe, with universal devastation. After a series of earthquakes, perhaps the most tremendous which this favored quarter of the globe was ever doomed to experience, a pestilence, more dreadful than any which history records, spread with destructive fury from the shores of the Mediterranean over the whole of Italy, and the far greater part of Germany. The rapid and pernicious effects of this pestilential malady are described by Boccacio, who was himself a spectator of the calamity, in those vivid colors which form the characteristic beauty of his writings. To him we must refer the inquisitive reader for a more minute detail, confining ourselves entirely to its effects upon the population of Helvetia. In Bâle alone upwards of twelve thousand persons are supposed to have perished in a very short space; while one-third of the inhabitants of Switzerland are said to have been swept away.

A calamity, like this, was peculiarly calculated to produce the most strange and opposite effects upon the minds of men, in whom religion was

merely the result of habit, and consisted entirely in external ceremonies. Some, weakly believing, that the end of the world was at hand, and that the destruction of the human race had been inevitably decreed as a punishment due to the enormity of their transgressions, gave way to every excess in which a licentious spirit could indulge; alleging, in excuse for their disorders, that they were desirous of turning the small remnant of life that was left them to the most profitable account. Others, equally inconsequent, thought the vengeance of offended heaven could alone be appeased by the effusion of human blood. Thus that unfortunate race of people, who have been so long the objects of popular calumny, were once more selected for persecution; and an event, produced by a fatal combination of natural causes, was almost universally attributed to the malevolence of the Jews. Accused of poisoning the springs, and adulterating every article of food, they fell by thousands the devoted victims of public indignation. In vain the constituted authorities took these unfortunate wretches under their immediate protection. The arm of justice was too feeble to contend with the inveterate fury of a frantic mob. Instances are not wanting, in which respectable magistrates have been forcibly compelled, to pass sentence upon men whose innocence was as apparent, as the injustice of their persecutors was atrocious.

cious. Baptism or death were the only alternatives offered. Upon the slightest hesitation they were led to the stake, where they were insulted in the agonies of death, with every indignity which the most ferocious bigotry could devise ; while, with their dying eyes, they beheld their infant children receiving the mystic sign of christianity from the hands of a reviling priest, and thus constrained to become members of a sect, against which their prejudices were not likely to be soothed by the inhumanity of those who had been consecrated it's chosen ministers.*

Meanwhile Charles was establishing his authority upon a solid basis. Many of the princes, who had at first opposed his elevation, were gained over by his munificence ; and the Helvetic states were reconciled to his government, by the ratification of their late conquests. The town of Laupen, with other imperial dependancies, was included in the number of these grants.

Berne was daily rising both in consequence and power from the martial spirit of her youth. Her friendship was courted by the circumjacent states ; while the honor of becoming a co-burgher of this flourishing commonwealth was regarded both as

* Stumpf. Tschudi, Stettler.

an honor and a support by many of the independant nobility.*

1350. The long pending contest for the Marches, between the monks of Einsiedlen, and the canton of Schweitz—that contest which had served as a pretext for the first war between Austria and Switzerland, and had so long baffled the united efforts of all spiritual and secular jurisdictions—was at length terminated by the benevolent exertions of the abbot of Disentis. The limits of their respective territories were ascertained with precision, and the first champions of Helvetic liberty once more absolved from those interdicts, which considering the bigotry of the age, they had borne with becoming fortitude, and honorable indifference.

* It was fortunate for the cause of humanity, that the superstition of the times had set apart any season of the year for the exclusive practice of religious duties, during which the exercise of arms was forbidden under the heaviest penalties. But as yet the fiat of the church was unquestioned in ecclesiastical affairs. So that men, whose bosoms were insensible to the cry of innocence, and to whom murder was a pastime when presented under the attractive form of war, would throw aside the cuirass during the forty days of lent, and persuade themselves that they were performing an acceptable service to the Almighty, in suspending their vengeance during that period of penitence, and postponing the execution of it to a season, which is the most calculated of any in the christian calendar to inspire mercy, and forgiveness of injuries.

Rudolph

Rudolph Brun, whom we have already had occasion to present to our reader in a very flattering point of view, after raising himself upon the ruins of the aristocratic party, continued during fourteen years to govern Zurich, with credit to himself, and advantage to his country. It is the nature of all popular governments that distinguished merit should be exposed to the shafts of envy; and this is in particular the destiny of those who have been instrumental in promoting revolutions, or reforming abuses. We cannot wonder, then, if the portrait of Brun should appear under very different shades, as the principles of his biographers have directed their pencil. Certain, however, it is that the state, over which he presided, was never in a more flourishing condition than during the period of his administration; and perhaps in estimating the characters of public men, no juster criterion can be adopted.

By the opposite faction he is accused of acting with an arbitrary violence, which is inconsistent with the principles of a democracy, and likewise of having sacrificed the interests of his country to views of private emolument.

That of all forms of human polity, an aristocracy is, in general, the most oppressive and corrupt, is a position, we conceive, that will hardly
be

be controverted by those who have had any opportunity of making themselves acquainted with the constitutions of Genoa, and Venice. By extending the rights of election to a wider circle of citizens, Brun seems to us to have rendered an essential service to the community. The constant opposition which he experienced in all his plan of reform, as well as the dangers to which he was continually exposed from the secret machinations of his enemies, may have exasperated a temper liable to irritability, and have induced him to adopt a more energetic system than would be perfectly reconcilable with the strict rules of justice during a period of domestic tranquillity. But whatever may have been the motives which influenced his actions, or the line of conduct he pursued, it is to the talents and exertions of this extraordinary man, that the members of the Helvetic confederacy were in great measure indebted for the happiness and prosperity they enjoyed under the benign auspices of freedom. Nothing short of the very great preponderancy which Zurich obtained by the prudence and energy of his administration, could have secured the rising liberties of Switzerland. It was the point of union round which the cantons rallied. Formidable were the men of Schweitz in the day of battle. With an impetuosity, which nothing could resist, did the shepherds of Uri and Unterwalden pour down from their native mountains,

tains. But while free and happy in their retired vallies, a nation of herdsmen was but little calculated to take the lead in any great political association, or to direct the springs which are destined to guide the complicated machine of a federative government. It is by no means our wish to exculpate Brun from the imputation of tyranny. But candor obliges us to confess, that we can discover nothing in the conduct of his enemies, that can induce us to suspect that they were influenced by motives of a higher nature. If the rigor of the one was dictated by a spirit of revenge, or by the interested suggestions of personal ambition, the violent opposition of the other party was certainly the effect of disappointed pride. The ill success of their former attempt had indeed taught the partizans of aristocracy, that they had little to expect from the concurrence of their fellow citizens, who, notwithstanding the pretended severity of Brun's administration, appear to have been firmly attached to his person. The only hope which they could indulge, of recovering their former consequence, was derived from the support of foreign powers. Nor could this be effected without assassinating the leaders of the democratic party.

There are not wanting instances in history, when the most heinous crimes have been exalted into virtues by the perverted principles of party prejudice,

dice, and bigot zeal. Even the Saint Bartholomew—that memorable instance of Gallic perfidy—became an object of triumph; and was celebrated, at the court of Rome, with all the ostentation of religious pageantry, as an acceptable sacrifice to the GOD OF MERCY. Perhaps the present story may be of this description. For we are unwilling to suppose, that a large body of men, who were taught by the chivalrous notions of the age to consider honor as an idol, at whose shrine every other duty must be sacrificed, as of a subordinate rank, should deliberately ordain the slaughter of hundreds of their fellow-creatures, and should at the same time persuade themselves, that so atrocious an action was by no means repugnant to the tenets of that romantic creed,

Having regulated their plan, and established a private correspondence with the disaffected of every description, they communicated the secret to the count of Hapsburg, offering to cancel all existing mortgages, provided he would assist them in restoring the ancient constitution. The hearts of princes are seldom less susceptible to the suggestions of interest, than those of less exalted personages. Hence the proposal was readily accepted, though at this very time a truce actually subsisted between Zurich and Rapperswyl. The count, however, endeavored to reconcile this breach of public
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lic faith by that easy system of political casuistry, which we so often meet with in the annals of a court; pretending that the death of his father, who fell at Grunau by the hands of the Zurickers, was still unrevenged. Various others of the independant barons were successively engaged in the same enterprize; and a day was fixed for the execution of this execrable project. Small bodies of troops, disguised like peasants, were introduced into the town; while a more considerable force assembled privately in the convent of Einsiedlen. Vessels were also prepared upon the lake under various pretences, either to assist in the attack, or to afford the means of escape in case the attempt should prove abortive. But what appears to us to be the most extraordinary circumstance in the whole transaction, is, that although upwards of seven hundred persons are said to have been privy to the conspiracy, and notwithstanding the numerous spies and informers which Brun is represented to have employed, the most inviolable secrecy prevailed till the very moment when destruction hung, like an electric cloud, over this devoted city. On the day previous to the execution, Ulric of Bonstetten arrived with a large retinue, under the plausible excuse of visiting a near relation in the celebrated female convent. The count of Hapsburg too followed in the evening; nor was a
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rational plea wanting to disguise the real motive of his journey.

The fun was already set. The conspirators were prepared. A large body of cavalry assembled near the gates, waited only for the appointed signal to begin the work of slaughter. The leaders of the democratic party had closed their eyes to sleep, never more to open them to the light of heaven. At this momentous crisis, when the fate of Zurich seemed decided for ever, the count of Toggenburgh, either seized with a sudden panic, or struck with remorse, at the atrocity of the deed he was about to perpetrate, embraced the hasty resolution of abandoning the enterprize, and withdrawing from the scene of horror. Accompanied only by a few attendants, he hastened to the port, and embarked in the first vessel he could procure. The boatman, surprized at the appearance of an unknown knight in complete armour, at that late hour, examined him with a scrutinizing eye. His emotion was visible. His behavior was confused. His words were ambiguous. Suspecting that his country was in danger, the waterman resolved to alarm the magistrates. His only difficulty was how to dispose of the passengers. For some time he meditated with himself, when embracing a hasty resolution, he overset the boat,
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and throwing himself into the lake, swam back to the shore, leaving the helpless strangers to sink under the weight of their arms. Nearly at the same time, a baker's boy, who had overheard the conspirators unperceived, carried information to the burgomaster, that the city was filled with armed men. Brun immediately ran to the town-house, at the evident risk of his life; where he barricadoed himself against any sudden attack, till his friends and adherents could fly to his assistance. The alarm bell rang. The tumult became general. The gloom of night increased the universal horror. Finding themselves discovered, the conspirators seized their arms, and rushed into the streets, resolved to sell their lives as dearly as possible. The air resounded with the cries of vengeance, and the groans of death. Amid the confusion and darkness friends were with difficulty distinguished from foes. Priests, women, monks, mechanics, ran to the defence of their country, to the rescue of their favorite, while the very children threw down tiles from the houses upon the heads of the traitors. Convinced that all resistance was vain, the conspirators attempted to gain their boats, leaving Bonstetten, and the count of Hapsburg to the mercy of their enemies. Many fell in the retreat, or perished in the lake; while several were taken, and died by the hands of the executioners.

Brun

Brun is accused of having fullied his triumph by cruelty. Far be it from us to attempt a justification of the inhuman, or the proud! We feel for the distresses of our fellow creatures, and view the violences of the mighty with an indignant eye. But such alas! is the nature of great political revolutions! Like the convulsion of the elements the shock is dreadful. Nay even when the tempest begins to abate it's fury—when the winds and waves no longer roar—the agitated sea bears terrific record of what is past, nor subsides at once to it's wonted serenity.

Having chastised the traitors with exemplary severity, Brun thought the moment favorable to revenge himself upon his external foes. For this purpose, he summoned his allies of Shaffhausen to take the field, and putting himself at the head of the combined forces, appeared before the gates of New Rapperfwyl; the usual rendezvous of the hostile party. The resistance he experienced was trifling. After a siege of three days the inhabitants capitulated, upon a promise of security to their persons and property. The March, a narrow neck of land, upon the shores of the lake, soon followed their example; upon which the natives were admitted to an alliance with the conquerors, who now returned in triumph, after having razed the
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the town of Old Rapperfwyl, which was likewise taken without any opposition. Brun, however, was still of opinion that nothing material was effected towards the permanent security of Zurich, while New Rapperfwyl continued to afford a safe asylum to the disaffected; and served as a point of union for her enemies to assemble. He therefore resolved upon it's destruction. The sentence was immediately executed, and the miserable inhabitants driven from their paternal abodes, in direct violation of the articles of capitulation, with circumstances of rigor which no motives of policy can palliate. To commemorate instances of a similar nature is the most painful duty of the historian. Happy indeed is his task, when he finds war conducted upon a less ferocious system; when mercy marches in the train of victory, prepared to mitigate the calamities which mark her proud career!

So flagrant a breach of public faith afforded ample scope to the enemies of Brun to blacken his character by the most injurious imputations; while the disconsolate exiles filled all the neighboring courts with their complaints and lamentations; calling aloud for vengeance against the perjured foe. Zurich was now represented as a city, on which no tie was binding; but which sacrificed every principle of justice, every feeling of humanity, at the insatiate shrine of interest.

Albert of Austria had long been waiting with impatience for a favorable opportunity of crushing the Helvetic states. The moment seemed propitious, and he resolved to embrace it. Forgetting however that the count of Hapsburg had been the aggressor, he complained in the bitterest terms of the perfidious conduct of the citizens of Zurich, inviting all his numerous allies to combine with him for the utter subversion of that dangerous commonwealth. The proposal coincided too well with the prejudices, and interests of the aristocratic party, to meet with a cold reception. A coalition was immediately formed, which was continually branching forth into fresh ramifications. So that the fate of Zurich became every day more precarious. In this hour of distress and danger, prudence pointed out one only probable resource; and naturally directed their attention and wishes to an alliance with a people, who had already triumphed in the same glorious cause. Deputies were accordingly dispatched, with the most pressing solicitations, to the forest cantons. The alliance was concluded without delay, for few are the impediments in the way of negotiation, when integrity and confidence form the basis of a treaty. Out of respect, however, to the dignity of an imperial city, precedence was allowed to Zurich 1351. in the confederacy. The act was signed in the beginning of May, with the usual restrictions

restrictions respecting all feudal claims. *The first article regarded the limits within which the union was to be circumscribed : and those were confined to the country between Rhetia, and the Rhine, the Aar, and the Thur. Should any of the contracting parties engage in hostilities beyond these boundaries, the other members of the confederacy were left at liberty to remain neuter. But within this district, their troops were obliged to march upon the first summons, and were to be maintained in the field at the expence of their respective states. Yet in case either of the confederate cities should be besieged, it was then forced to furnish supplies to the garrison, though composed of soldiers from the other cantons. The allies still further covenanted to employ all the means in their power to obtain redress for each other in case of any real injury being done them even beyond the specific bounds. Should any disputes arise among themselves, deputies were immediately to assemble, at Einsiedlen, for their amicable discussion ; but if either party persisted obstinately in it's pretensions, the affair in that case was to be referred to the definitive judgement of five arbitrators, chosen expressly for that purpose. Criminals were to be mutually given up, the moment they were claimed. Nor were any appeals whatever to be made, or denunciations carried, to any ecclesiastical tribunal whatever. The forest cantons engaged to support the new government of Zurich. To render this treaty an object of still greater importance by recalling it continually to the public mind, it was further enacted*

that it should be renewed every ten years in the most solemn manner ; yet should any unforeseen accidents intervene to impede the celebration of this decennial ceremony, such omission was in no manner to affect the spirit, or invalidate the force of the treaty.

It is curious enough to compare the concise, and simple stile, employed by the Helvetic states in regulating the conditions of their federative government, with the verbose and complex forms of modern diplomacy. At that time, the union of independant nations was effected in nearly as few words, as we have seen made use of to exemplify the dignities and titles of a Spanish plenipotentiary. The character of the Swiss was in those days guileless as it was brave. Their virtues were simple, their words few, their habits of life rude, and unpolished. But in the hour of danger, they displayed an unshaken fortitude, which must entitle them to the admiration of posterity, so long as an asylum shall be left on earth for liberty, where it is safe for the historian to commemorate the struggles of a free people, and to hold them up to mankind as examples to imitate and revere.

No sooner was Alhert of Austria made acquainted with this transaction, than he resolved, by accelerating his preparations, to check the evil before it spread too far. Determining however to persevere

severe in the system of dissimulation which he had adopted, till the moment of vengeance was at hand, he received the delegates of Zurich, who were sent to compliment him upon his arrival at Bruck, with studied smiles.

Albert was sixty three years of age, when he succeeded to the Austrian dominions. He is represented, by many of the German writers, as a prince of distinguished virtues. His person is said to have been manly and dignified ; his judgment just ; his understanding naturally strong, and improved by literary acquirements. His equity, his humanity have likewise afforded ample themes for the inventive genius of his panegyrists. But should we refer to his actions, as the only just criterion on which a rational opinion can be founded, the portrait appears to be drawn with a very flattering pencil ; for unless rashness be a symptom of courage, obstinacy a mark of perseverance, and severity a characteristic of justice, it will be in vain to look for those splendid endowments which the venal pen of adulation has so lavishly bestowed.

Albert was no sooner satisfied that the current of popular opinion was favorable to his projects, than he threw aside the mask. The piteous tale of the Rapperswyllers had made a strong impression. This too was artfully increased by the secret

emissaries of Austria, who were employed to work upon the public feelings, and to excite a general spirit of indignation against the authors of their calamity. Albert, now finding himself prepared for action, issued an imperious mandate, commanding the Zurickers instantly to rebuild the town of Rapperswyl, over which he pretended to exercise a paramount authority, in quality of feudal lord. At the same time he enjoined them, in a stile equally dictatorial, to restore the conquered territories, and to indemnify their adversaries for the whole expences of the war. This menace was backed by an army of twenty thousand men, at the head of which he appeared in person before the gates of Zurich, on the 13th of September. A numerous tribe of vassals, and independant princes, marched in his train. Among the most considerable of these, we may enumerate the margrave of Brandenburg, the duke of Teck, and the burgrave of Nuremberg. The bishops of Bamberg, Wurtzburg, Bâle, and Coire, sent reinforcements to the Austrian camp, where we likewise remark, though not without some degree of surprize, the banners of Soleure, Bâle, and Berne. These, with considerable reinforcements from the imperial cities, constituted an army, formidable indeed in point of numbers, but which we can hardly suppose to have been animated by that spirit of co-operation, and with of success, which can alone give stability to
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an undertaking. To oppose to this mighty host, the Zurickers had nothing but their courage; for of all their friends, none dared to move in their defence, but the forest cantons. And fortunately, a small body of these arrived a few hours before the city was invested.

The fate of Zurich now seemed inevitable. But Providence, which was determined in its mercy to set bounds to the violent career of despotism, did not will its fall. Amid this shew, and apparatus of war, secret jealousies prevailed. Many of the confederated barons viewed the increasing power of the house of Austria with a suspicious eye; and were alarmed at the prodigious augmentation of strength which would accrue to that ambitious family from the annihilation of the independent cantons. Others were struck with compassion for the destiny of a people, who had displayed such magnanimity in the most trying situations. In a word, the conduct of the coalesced powers was such, as might be naturally expected from so heterogeneous a body, acting under the impulse of different passions, and listening alone to the suggestions of private interest. Scarce were they assembled before the walls of Zurich, when secret conferences were already held, for the express purpose of terminating the contest without effusion of blood. This plan was warmly sup-

ported by the count of Toggenburg, and the deputies from Berne ; and being reduced to a regular system, was presented to Albert for his approbation. The duke, satisfied that it would be in vain for him any longer to oppose the wishes of his allies, received the proposal with affected moderation ; and though deeply mortified at the cruel disappointment, was easily induced to consent to the nomination of two arbitrators, by each party, to whose decision this important quarrel should be referred. The proposition was next submitted to the Zurickers, who acceded to it with eager satisfaction ; and it was further stipulated, that in case the delegates should find it impossible to agree upon terms of accommodation, the affair should be ultimately left to the decision of Queen Agnes, whose sentence, in that case, should be conclusive. In the mean while, they were to send hostages to the Austrian camp, in token of their entire submission to the award. This latter measure was violently combated by the forest cantons, who taxed it openly with imprudence. But all their arguments, as is too frequently the case with the wisest counsels, were ineffectual. Nay more, they were themselves at length prevailed upon, by the urgent solicitations of Brun, to become parties in the negotiation, and to submit their own grievances likewise to the widowed queen of Hungary.

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The conduct of Brun, upon this occasion, is not easily accounted for. For whatever may have been his opinion of the moral rectitude of the devout Agnes, such unlimited confidence in the integrity of a person, whom every motive of personal attachment, and family pride, must inevitably lead to favor the hostile cause, was perfectly inconsistent with the cautious character of that artful politician. We must therefore either suppose him to have placed but little dependance in the co-operation, and exertions of his fellow citizens, or to have been acted upon by considerations of a more degrading nature than even fear itself.

It could hardly be expected; that in such a combination of discordant interests, the opinions of the arbitrators should easily agree. The Austrian plenipotentiaries, who were both of them vassals of that powerful family, insisted, upon terms which were little less advantageous, than what might have been imposed by the dictatorial voice of victory. Their opponents, on the contrary, affirmed that they had not been the aggressors in the war. Far from manifesting an inclination to restore the conquered territory, they contended that the losses sustained by their enemies could be considered in no other light, than as
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the merited reward of treachery. Both parties were firmly wedded to their own ideas, so that every conference tended only to widen the breach. No hope of an accommodation remained, but in the equity of queen Agnes, to whom, by mutual consent, the affair was now referred. The congress was in consequence removed to Königsfelden. The commissioners laid their respective pretensions before the royal widow. She no sooner heard them, than to the utter confusion of the Swiss, without the smallest hesitation, she confirmed the claims of Austria in their fullest extent.

By this award, the Zurickers were condemned to rebuild the town of Rapperswyl, and to restore it, with all its dependancies, to the count of Hapsburg. They were likewise to make ample satisfaction to the Duke of Austria, for their insolent and unjustifiable attack upon a place, which was under his immediate protection; to indemnify the rest of the confederate barons for the damage they had sustained—and to make good all the expences of the war.

The injustice of this sentence, with respect to the forest cantons, was scarcely less enormous; every point in contest being adjudged in favor of the house of Austria.

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In vain did the Swiss complain that their plenipotentiaries had exceeded the limits of their powers. In vain did they petition the duke for a mitigation of the terms. Albert was deaf to every application, and gave them to understand, that he would never consent to liberate the hostages, till the award was complied with, to the very letter. Meanwhile the friends of these unhappy captives grew so clamorous for their release, that by their influence, and remonstrances, they prevailed with the senate to execute the treaty rather than expose their most illustrious fellow citizens to the resentment of a prince, of whose humanity and moderation they had reason to entertain no very favorable impressions. Having sworn to fulfil the conditions, they demanded the restitution of the hostages. Albert replied, *that so long as the count of Hapsburg was detained in captivity, they must not expect their liberty.*

Confounded at this unlooked-for demand, the Zurickers produced the award, in which the illustrious prisoner was not even mentioned. The equity of the case was clear. But power, as usual, preponderated. The hostages were still in Albert's hands. Their freedom depended alone upon his pleasure. He felt all the advantage of his situation, and was indifferent to the opinion of mankind. He therefore insisted, that notwithstanding the apparent

parent neglect with which his noble kinsman had been treated, count John was indisputably comprehended in a general clause, which enacted, *that all vassals and dependants of the house of Austria should be set at liberty*. It is evident, that from the very beginning of the treaty, Albert was never sincere in his wishes for peace. He sought only to humble the confederates, and if possible, to throw the whole odium of the war upon them. This opinion becomes still more probable, should we examine the tenor of the award with a critical eye. For it was drawn in so loose, and undeterminate a stile, that almost every clause was capable of any interpretation, which the caprice or interest of the stronger party should think proper to affix. Such accumulated instances of injustice were not to be endured. They would have roused the most timid to resistance. The Zurickers had now penetrated the real views of their artful and intolerant persecutor. They were convinced of the inefficacy of submission. They saw that their only prospect of redress was in God, and their swords.

Albert, resolving to inflict an exemplary punishment on these contumacious plebeians, immediately summoned his numerous vassals to join his standard. Among these, the house of Austria had been accustomed to include the peaceful shepherds of the vales of Glaris. For so undefined was the situation

ation of most of the Helvetic provinces, and so complicated the whole chain of feudal relation, that it would have been no easy task for the most profound antiquarian to unravel the intricate clue. Nothing therefore could be more easy than to institute a claim; nothing more difficult than to defeat it. The natives of Glaris, who were perfect strangers to every science, which was not immediately connected with the simple duties of a pastoral life, could produce no documents, wherewith to refute the arguments of crafty civilians. But they were equally ignorant of any valid reasons, which could induce men to abandon the comforts of domestic life, in order to invade the territory of a people, against whom they had no cause of complaint. They therefore replied to the Austrian commissary, *that they were much astonished at his master's request. That the Zurickers had never carried off their cattle, nor offered outrage to their wives or daughters.* Why were they then to consider them as foes? They were themselves a plain and simple people, and understood but little of the laws of war, nor would they ever engage in foreign hostilities, but whoever dared to invade their peaceful vallies, would find that they were not wanting in spirit to defend their rights.*

* Tschudi, Stumpf. Guilliman.

The haughty soul of Albert was little calculated to endure contradiction; particularly from a people, whose artless manners, and contracted wants, had rendered them the objects of his derision. Neither side was inclined to yield. The Austrian threatened. The Glarners were unappalled.

No sooner were the wary Zurickers apprized of what had past, than they determined to seize the propitious moment, and gain another member to the confederacy. In haste they marched a body of troops, and took possession of all the defiles, through which the canton of Glaris was accessible, before the approach of the Austrian army. A proclamation announced their benign intentions to the inhabitants: *They came not, they declared, attracted by the hope of plunder, or in the view of adding a tributary province to their own republic. Their motives were founded in benevolence, and they offered them to partake in their independance.* Such language was captivating. They were received with open arms—were welcomed as men sent from heaven to rescue the weak from the persecutions of tyranny. The alliance was immediately concluded, and two hundred of the men of Glaris marched back to reinforce the garrison of Zurich.

Glaris,

Glaris, like the contiguous cantons of Schweitz, and Uri, is strong from it's situation. Surrounded by rocks, which are in most places inaccessible, it trusted entirely to nature for it's defence. Not a place in the canton had even a wall or a ditch. The sides of these stupendous mountains, almost to their very fummits, abound in fertile pastures, where numerous herds feed during the summer, and afford a plain and wholesome diet to a healthy, and vigorous race of men. In the midst of the vale beneath, runs the rapid Limmat, which, after diffusing plenty during it's circuitous course, empties itself into the lake of Zuric. The Glarner, like their neighbors of the forest cantons, though distinguished by a variety of privileges, can hardly be said to have enjoyed perfect freedom. The pecuniary aids and contributions, which were paid to the convent of Seckingen, were vestiges of feudal dependance. But on the other hand, their government was municipal, and was vested in a council of twelve, chosen from among their own citizens, though at the nomination of the lady abbess; and these were presided by a bailiff. Such was the condition of this happy people, who enjoyed all the tranquil pleasures of a patriarchal life, till king Albert obliged the abbess, in spite of her reiterated remonstrances, to cede her limited supremacy to the house of Austria. Since which time, the descendants of that ambitious monarch had

had been continually starting fresh claims. The inhabitants, who had lived in a state of uninterrupted prosperity under the mild patronage of the abbefs, refused to acknowledge any other fuperior. Hitherto they had struggled obftinately, though ineffectually, for the recovery of their ancient immunities. No concessions had been made on the part of Austria, no conciliatory expedients had been tried. The mifunderftanding was daily increafing. Nor was the fullen ferocity of an Austrian foldier by any means calculated to heal the animofities. A fystem of rigor had been adopted. Many of the moft refpectable families were banifhed. The whole form of government was changed. Thus a fpot, which but a few years before, prefented the moft grateful fpectacle to a philanthropic mind, now exhibited only the melancholy picture of filent grief and gloomy defpair.

Awakened at the call of freedom, the Glarners ran to arms, and fecure in the fupport of their new allies, the firft ufe they made of independance was to reftore the ancient conftitution. Meanwhile the Austrian governor, Walter Stadion, thought it prudent to retire. Though his fears were probably groundlefs. Liberty, and not revenge, was the object of the Swifs, during the whole courfe of their emancipation. And in this refpect, as we have already had occafion to remark, the Helvetic
revolution

revolution is without a parallel in the annals of the world. Among other people, placed in similar situations, the suggestions of personal interest, or of private animosity, have been seen to operate with greater force than the public good. Hence they have been led to deviate from the plain path before them. Sacrificing a rival to their own ambitious views, they have dignified the atrocious act with the pompous appellation of tyrannicide. And perhaps the more minutely we investigate the most celebrated instance of this nature, which history records, the less reason shall we find to applaud either the prudence, or the disinterestedness, of the conspirators.*

But there was nothing selfish in the conduct of the Helvetii. Nothing to disgrace the cause in which they were engaged. In the pursuit of liberty, they were neither foolishly elated by a par-

* It certainly is not the moment here, to enter into a critical analysis of the motives, by which the murderers of Cæsar were influenced to destroy the man, whom nature seems to have pointed out for the government of the world. But it would perhaps be no difficult task to prove, that, with the single exception of Brutus, there was not one of the conspirators, whose sole object was the public good. Cassius was clearly instigated by interested views; and appears to have worked upon the feelings of his friend, that he might make use of so popular a name to veil his own ambition.

tial triumph, nor unmanfully dejected by a momentary reverse. Their behavior was firm and uniform. Moderate in prosperity. Intrepid in the hour of danger.

1352. In the month of June, in the following year, the accession of Glaris to the Helvetic confederacy was publicly ratified with the usual formalities. The stile and conditions of the several treaties, by which the union of Switzerland was confirmed, differ so little from each other, that it would be a waste of time to repeat them clause by clause. We shall, therefore, content ourselves with pointing out to the reader those instances alone, in which any material variation exists. The other cantons had hitherto treated upon terms of perfect equality. But such was the situation of Glaris, that in the negociations of modern times it would pass for a mark of imbecillity not to take advantage of her distress. However, fortunately for the Swiss, they were totally unacquainted with those refinements which we call policy; and were simple enough to consider generosity as a principle no less amiable in the transactions of nations, than in the conduct of individuals. Glaris was accordingly admitted into the Helvetic bond upon terms extremely advantageous. The only stipulation, which was not reciprocal, enacted, that the new member should enter into no war, nor form any treaty,

treaty, without the express consent of its co-allies. This partial distinction will, however, disappear in the sequel of time, and the inhabitants of Glaris become entitled to every prerogative, enjoyed by the other cantons, in the fullest extent.

Not content with having secured their flank by the acquisition so recently made, the confederates directed their attention to every other quarter from which an attack was to be apprehended. The imperial cities of Bâle and Strasbourg had recently sent a reinforcement of two hundred men, to assist the Austrians in covering Baden. These troops being encamped at some distance from the town, and disadvantageously posted, Brun formed the bold design of surprising them in their camp, and resolved to conduct the enterprize in person. Desirous of uniting the highest military employments to the civic dignities which he already enjoyed, he found the confidence of his fellow citizens unlimited as his own ambition. No honors appeared to them too great for the man, to whom they owed their independance, and by whose active vigilance they had so lately escaped from the sword of assassins. Brun was perfectly conscious that secrecy alone could give success to his undertaking, and concealed his intentions with the most vigilant care, till the very moment of his departure. On the eve of Christmas, while the

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burghers

burghers were occupied in preparations for celebrating that solemn festival, he sallied forth with whatever troops he had been able to assemble in haste. But, in spite of all his precautions, the enemy had gained intimation of his designs time enough to retire under the walls of Baden, where they had no longer any thing to apprehend. Vanity was too deeply interested in the event of this expedition, for Brun to bear the disappointment with any tolerable degree of temper. Giving way, therefore, to the natural impetuosity of his disposition, he revenged himself by laying waste the open country with fire and the sword. In the first ebullitions of his fury, he razed to the very ground the small, but flourishing town of Freudenau, situate near the conflux of the Limmat, and the Aar. The following day, impelled rather by the violence of his character, than by any regular system of hostilities, he directed his march towards Baden; and was preparing to encamp his little force, which does not seem to have exceeded fourteen hundred men, in a valley near Tatvyl, when he was suddenly alarmed by the approach of a numerous body of the enemy. Burchard of Ellerbach, the Austrian prefect, was no sooner acquainted with the designs of the Zurickers, than he drew together all the troops which could be spared from the neighboring garrisons, to the amount of near four thousand. Hitherto he had watched the motions

positions of Brun with an attentive eye. The position, he had now taken, appeared favorable for an attack. He was already in possession of the heights, and all communication with Zurich was cut off. Brun's situation was highly critical. Surrounded on all sides by a superior army, a retreat seemed impracticable, a battle dangerous. His only resource was in the energy of his own mind, and to that a hero would have resorted. But Brun no sooner learnt that the Austrians were advancing, than he was lost. His courage forsook him. He felt himself unequal to the task. His choice was only between death or victory. He attempted neither. His resource was shame.

Under pretence of reconnoitring the enemy's position, he withdrew from the camp, but with a firm resolution of returning to it no more; and taking advantage of his local knowledge, got safe beyond the enemy's lines. It was impossible for Brun's warmest advocates to palliate so dastardly an action. Indeed the only rational mode of accounting for it, in a man, who in other, and even trying situations, had betrayed no marks of cowardice, is to suppose him struck with a sudden panic—a circumstance by no means without example in the history of human weakness. Conscious of having been the chief author of the revolution, he dreaded the vindictive spirit of the op-

posite faction, if he fell into their hands. In such a situation a Roman would have died. Brun deemed it more prudent to fly.

Manesse, who was second in command, began soon to suspect the truth, and though he entertained himself no very high opinion of his general's courage, yet he with justice apprehended, that the example might become contagious, and that the soldiers, dispirited by the flight of their favorite, would throw down their arms, should the real cause of his absence be known. Resolving, therefore, to have recourse to dissimulation, he called them together ; and addressed them in the following words. ' *" You see, my friends, that nothing is left us, but to cut our way through the enemy, or to fall ingloriously into their hands. The former, perhaps, is less difficult than it may appear. The latter is attended with certain destruction. Your general is already gone in search of a reinforcement, and is, perhaps, at this very moment marching to our succor. His arrival would ensure our success, but would diminish our glory. If we beat the enemy without any further aid, the honor will be all our own. I read your answer in your countenances. I partake your feelings, I will deserve your confidence."*

So saying he led them to the charge. The Austrians were already in motion. The shock was violent

violent. On both sides they fought with desperate resolution. The combat continued during the whole day. The night came on, and victory was undecided. Yet notwithstanding all the valor they displayed, it is scarcely possible that this handful of men should have escaped destruction, had not an event taken place, which the darkness of the firmament rendered no less advantageous to them, than it was discouraging to their adversaries.* About one hundred and fifty of the neighboring mountaineers, who were the allies of Zurich, had been summoned to join her standard, but on account of the anticipated march of Brun, had arrived too late. This was a severe mortification to a people ardent of glory. They learned the route he had taken, they traced his steps, and were conducted, by the genius of their country, to the field of battle, just at the close of day. Shouts of exultation announced their arrival. They were welcomed by their weary friends with cries of joy, who now no longer doubted that their general was returned with the reinforcement they were promised. The effect produced upon the Austrians, by these repeated peals, was widely different. The

* Some historians pretend, that Manesse caused a number of mares to be driven among the Austrian cavalry, and by this means rendered their horses so unruly, they were no longer governable. But this is probably one of those tales, which may be classed with the story of Darius and his groom.

obscurity of night prevented them from judging of the numbers except from the sound of voices. Their apprehensions magnified the danger, and led them to imagine that the whole force of Zurich was upon their flanks. The panic spread. A retreat was to be attempted as the only resource. The Zurickers, now finding the enemy give way on all sides, and attributing this unexpected success to the presence of their beloved Brun, pressed hard upon the retiring foe, and drove them with prodigious slaughter to the very gates of Baden.*

At Zurich, where the melancholy tidings of the disastrous position of this little army had already arrived, the transports excited by its triumphant return were scarcely greater than the surprize occasioned by the absence of Brun. The story of his disgrace was soon whispered abroad. But such was the infatuation of faction, that the populace, deaf to the voice of truth, tumultuously seized the banner of the state, flew to a neighboring villa where their favorite was concealed, placed him in the midst of their exulting band, and brought him back in all the pomp of military ovation. Conscious of his own misconduct, Brun's situation was in the highest degree ludicrous. For some time he

* Schodeler estimates the loss of the Austrians at 700 men, Tschudi reduces it to 450—Roo to only 600—but they all agree that six banners fell into the hands of the conquerors.

doubted

doubted whether the scene was serious, and suspected the mock parade to be intended in derision of his dastardly behavior. But the respect and applause which accompanied him during his triumphant progress, at length dissipated his apprehensions. Yet what was his astonishment when, upon his entry into the city, he found himself hailed, by general acclamation, the deliverer of his country, and as a reward for his signal services, was confirmed in his important office during life. Nay such was his popularity, that the report of his flight was treated every where as a calumny, propagated by the partisans of aristocracy, to degrade the champion of liberty in the public estimation.

No sooner was it known that Glaris, and the forest cantons, had sent reinforcements to the defence of Zurich, than the Austrians dispatched flying parties, in almost every direction, to lay waste their lands, and carry off their cattle. Hostilities were conducted in this desultory manner during the greater part of the winter. In the following spring, the Zurickers concluding that they had no longer any immediate danger to apprehend, dismissed their gallant friends, contenting themselves with the assurance, that they would be ready to return upon the first alarm.

In

In order, however, that the martial spirit of their youth might not abate through habits of indolence, they kept them in constant exercise, by predatory inroads upon the Austrian territory. During one of these excursions, a detachment of fifty men fell in with a body of the enemy, which, according to the most respectable authorities, consisted of upwards of a thousand combatants. They had just pillaged the town of Kufnach, upon the lake of Lucerne, and were making off with their booty. Undismayed by the inequality of numbers, the Swiss began the attack with their accustomed ardor, and a conflict ensued, the issue of which was so doubtful, that both sides pretended to victory. The Austrians, from having escaped with the spoil; the republicans, because they remained masters of the field. It is certain, however, that the latter were for some time unmolested, and took advantage of the inactivity of their enemies, to burn the castle of Hapsburg, which surrendered after a ten days siege,

The story of the Helvetic wars presents a series of these extraordinary events, where a handful of men put whole battalions to flight. These triumphs are usually attributed by national vanity to the most flattering of all causes—personal bravery. Allowing to personal bravery all the wonders it can achieve, it is still difficult to suppose, that

that by any superiority of courage one man can be a match for twenty, as was the case in the present instance. We may, therefore, without hesitation infer, that the Austrians, deeming it altogether impossible that the republicans should have risked an action with so disproportionate a force, regarded the attack in no other light than that of an artful feint to draw them, encumbered as they were with booty, from their advantageous ground, to a spot where they would be left entirely at the enemy's mercy. And having already fulfilled the object of their expedition, by the plunder of Kufnach, they probably thought it most prudent to retire, without exposing themselves gratuitously to any eventual loss.

Such repeated trials of successful fortune operated as powerful incentives upon the public mind. They roused the indolent ; encouraged the timid, and gave decision to the most irresolute. The very government itself was hurried on by the rapid tide of prosperity to enterprizes, which, under other circumstances, and in the cooler moments of reflection, they would have shrunk from as chimerical. For in what other light can the offensive operations of these gallant mountaineers appear, to a mind which weighs all the occurrences of human life in the common scale of probabilities, when directed against the gigantic power of the
house

house of Austria. But the efforts of a people, during the turbulence of a revolution, like those of the human body under the paroxysms of a frenzy-fever, so far exceed all rules of computation, to be derived from mathematical sources, that to reason upon settled principles is to embrace error with voluntary blindness. The impulse is no sooner given, than the body politic is borne away with the eccentric rapidity of a comet. All efforts to arrest it's course are equally ineffectual. Every thing is attracted within it's orbit, is subject to it's influence. The giddy crowd stands wondering at the portentous sight. Philosophy pauses in anxious expectation of the tremendous issue. Weak minds oppose, and fall.

The town of Zug was opportunely situated for any defultory attack upon the forest cantons. During the late hostilities, it's garrison had annoyed them by frequent sallies, and was at all times able to throw considerable impediments in their way, whenever a junction of forces might be attempted. Zug was the ancient capital of the TUGENI, but during the tumultuous confusion of Gothic times, had fallen under the dominion of the counts of Lenzburg, to whom it had continued subject till the year 1172; when that illustrious family became extinct. It then passed, with the most valuable part of that rich succession, to the house of Kyburg,

Kyburg, and ultimately centered in the house of Austria, as representatives of the Hapsburg family.

The possession of this little town was an object of such high importance to the united cantons, that the temptation was no longer to be resisted. An army of two thousand six hundred men was destined for the siege, of which Zurich furnished only six hundred, the forest cantons the rest. Previous to their taking the field, a secret correspondence was established with the adjacent villages, and an agreement entered into, that they should remain unmolested, provided they observed a strict neutrality. The event of the siege was to decide their destiny. Their connection with Zug was to continue unbroken.

Upon the approach of the confederates the garrison evacuated the town, abandoning the burghers to their own counsels. This precipitate retreat was probably owing to two causes—want of confidence in the co-operation of the citizens, and want of resources for a regular defence. Left entirely to their own direction, the Zugers disdained to yield without resistance, and determined to defend themselves, till they were fully acquainted with the intentions of Austria. The besiegers were repulsed with vigor for fourteen days, but no reinforcement arriving, and provisions beginning to fail,

fail, a truce was agreed upon for eight and forty hours, upon condition that the town should be surrendered, if not relieved within that period. Commissioners were immediately dispatched to Albert, who was then at Konigsfelden, to apprise him of their distress, and of their inability to hold out any longer, unless supported by an Austrian army. The duke received the intelligence with apparent indifference, and without deigning to reply to the deputies, turned carelessly to one of his falconers, with whom he was before conversing about his favorite amusement of hawking.

Herman, a wealthy and respectable inhabitant of Zug, who was at the head of the legation, was too sensibly struck with the indignity of such treatment to suppress his feelings, but gave way to the warmth of his emotions in the following words: "Since your highness considers the health of your birds to be more worthy your attention than the distresses of your subjects, it becomes their indispensable duty henceforth to provide for their own welfare. It is my business, therefore, to apprise you, that unless it is immediately relieved, your town of Zug will be forced to surrender at my return." "Let it!" rejoined Albert with haughtiness. "In that case we shall have *one city more to conquer.*"

The

The Zugers, whose attachment for the Austrian government was such as might be expected from the treatment they experienced, were no sooner made acquainted with the duke's scornful treatment, than they conformed to the insulting mandate with alacrity. But as they considered with reason, that obedience and protection are reciprocal duties, and can be separated by no political casuistry whatever, they, at the same time, resolved that the bond once broken should be severed for ever. The two days being now elapsed, the gates were thrown open, according to the conditions of the armistice. The confederates entered not as conquerors, but friends, amidst shouts and acclamations. An union was proposed on one part with generosity, and was accepted with gratitude by the other. The vanquished were admitted into the Helvetic confederacy, upon the usual terms, and with the usual restrictions, when the league was ratified with every formality which had been employed upon former occasions.

From the answer returned by Albert to the delegates of Zug, his plans might be easily inferred. Indeed, it was neither consistent with his pride, nor with his dignity, tamely to submit to such accumulated insults from a confederacy, the greater part of whom he could with some justice stigmatize with the odious appellation of rebels. To confine

fine himself to a war of posts, appeared to him a degrading system, unworthy the mighty power of Austria. It was incumbent on the chief of that potent family, by one decisive blow, to crush the reptile states which braved his wrath. The town of Zurich was very justly regarded as the center from which the diverging rays of republicanism derived their force. By assailing the monster in this vital part, it's branching members would naturally perish, when deprived of the nourishment they drew from the parent source. The enterprise was to be attempted, and with proper precautions could not be difficult.

The whole energy of Albert's mind was now turned towards the accomplishment of this favorite project. Ten thousand foot, and two thousand horse were assembled from his hereditary states, while his numerous allies were invited to join the Austrian standard.

The magnitude of his preparations obliged him to impose, what in those days of fiscal ignorance were deemed enormous burdens, upon his subjects, but which, when compared with the contributions of modern times, scarce merit the appellation of a grievance. It must however be remembered, that the science of finance was then in it's infancy, if it can be said to have existed at all. Nor would the
most

most visionary politician, in the wildest flights of fancy, have figured to himself the possibility of there ever arriving a time, when the whole arcana of government should be reduced to a practical experiment of drawing all the wealth of a nation into the coffers of the state; and that the prosperity of a country should be estimated, not by the comforts of the peasantry, but by the produce of the customs.

In order, however, to form a just estimate of the situation; and resources of those times, we must recollect that, since the discovery of America, the precious metals have increased in at least a decuple proportion. In the days of Albert, the whole aggregate commerce of Europe was probably less considerable than what is carried on by more than one of the great emporiums of modern trade. Hence the difficulty of finding supplies for any military enterprize, that was planned upon an extensive scale, must have augmented in a complex ratio of the scarcity of money, and the want of circulation. And this accounts, in a very satisfactory manner, for the short space, during which the most powerful princes could maintain any formidable force in the field.*

On

* Muller observes, that the pay of a soldier in the fourteenth century, comparatively speaking, was infinitely higher than it

On the tenth of June, Albert encamped in sight of Zurich, at the head of a large and well appointed army, composed partly of troops from his hereditary dominions, and partly of the succors furnished by his numerous allies. Among the latter were the Margrave of Brandenburg, the eldest son of the emperor Lewis, the burgrave of Nuremberg, the counts of Wirtenburg, Kyburg, and Neuchatel, with a long and splendid train of warlike nobles, both ecclesiastical and secular. So little, too, was the balance of power understood, that the towns of Soleure and Berne considered themselves as bound, by ancient treaties, to send their respective contingents, and thus to assist in promoting the aggrandisement of their most dangerous foe.

The Zurikers were strongly entrenched before their walls, behind which, in all extremities, they were secure of a safe retreat. Continual skirmishes took place between the out-posts. The foraging parties were every day engaged. Nothing material, however, could be effected, till the allies

is at present in the European armies. Peter of Goumoens, in 1347, received 280 livres for 212 days service for himself and four horsemen. In 1354, six knights and forty foot soldiers were paid at the rate of 1008 florins for six months. The loss of a horse was computed at 350 florins, according to a convention between Goumoens and Eudes of Burgundy.

had

had succeeded in throwing a bridge over the Limmat, a measure which was absolutely necessary before the town could be completely invested. To the accomplishment of this important object all the efforts of the combined forces were directed. But every exertion proved ineffectual. The progress made during the day was destroyed at night by the activity of the garrison. The army was harassed, but no proportionate advantages were obtained.

In this situation things continued till the beginning of August, when the Austrians began to suffer severely from want of provisions. This was an evil without remedy, in an age when armies had no means of subsistence, but what they derived from the enemy's country. The Margrave of Brandenburg is said to have been the first among the confederates, who perceived the disastrous situation to which they were reduced, and the absolute impossibility of continuing the siege. In this dilemma, he found an opportunity of founding the temper of the burghers; and having made himself acquainted with their pretensions, and with the sacrifices to which they were inclined to consent, he communicated his ideas to several of the allied princes. The whole of this negotiation was probably carried on with the privacy, and approbation of Albert, though the margrave affected to act an independant part, alleging, as an excuse for

the warm interest which he took in favor of the Zurickers the strong hereditary attachment which he felt for the friends of his deceased father. Confidential messengers now passed between the camp and city. The rugged front of war began hourly to assume a milder aspect, while both sides looked forward with satisfaction to an approaching peace. However, before the treaty could be brought to a conclusion, famine obliged the allies to break up their camp, and to retreat precipitately under cover of the night. At the dawn of day, to their extreme surprize, the garrison beheld no vestige of the hostile armament, except where the Berners were posted. For these gallant republicans, disdaining safety when incompatible with honor, and regarding a nocturnal flight as degrading to their character, preferred the risk of remaining alone, and marching off in the face of their enemies.

Meanwhile the margrave was indefatigable in his endeavors to bring about a general pacification. By his active zeal, the belligerent powers were at length prevailed upon to consent to an armistice, and to send deputies to Lucerne, where he proposed to assemble a congress, at which he signified his intention of being present. The interim was employed in arranging a general outline, which might serve for the basis of a permanent treaty. The plan was submitted to the plenipotentiaries, at
their

their first meeting, and was drawn with such moderation and impartiality, that no valid objections could be started. Yet much remained to be done. It is true, the most important points were agreed to, but there were still many intricate questions to debate, and a variety of repugnant interests to reconcile, any of which were amply sufficient, in the present irritable state of the public mind, to rekindle the flame anew. Besides, it required a degree of self-denial, of which none but elevated minds are capable, for the house of Austria quietly to abandon all its pretensions and claims, and to sit down contentedly with the bitter sentiment of disappointed pride. And there was nothing in the character of Albert which could inspire a hope of his possessing such exalted qualities. Nor was it probable, that the united cantons would be easily induced to believe that their enemy was for once sincere. It was natural for them to doubt his professions, and to require some stronger security than he would be inclined to give.

These obstacles however were at length overcome, and a treaty was concluded upon the following terms ; which were proposed by the Swiss, and accepted by the duke of Austria.

“ The states of Zurich and Lucerne, on their parts,
“ engaged to admit no Austrian subject to the
“ right

“right of citizenship; while the forest cantons
 “covenanted not only, *not to obstruct* the duke in
 “the enjoyment of his legal rights and prerogatives, or in the perception of his due revenues;
 “but on the contrary, *to afford him every support*
 “*and aid* in their power. With respect to Zug,
 “and Glaris, it was stipulated that they should re-
 “turn to their allegiance, but without any retro-
 “spect to past transactions; while the confederated
 “cantons mutually promised, NEVER IN FUTURE
 “*to receive any state or province, belonging to, or de-*
 “*pendant upon the house of Austria, into their alliance.*
 “Finally, it was agreed that John, count of Haps-
 “burg, should be set at liberty, and that all pri-
 “soners, on both sides, should be given up; in
 “which number, *the hostages were specifically in-*
 “*cluded.*”

This treaty having been previously ratified by all parties, count John was once more reinstated in his patrimonial domain; but not, however, till after he solemnly engaged that the most perfect amity should henceforth subsist between him and the Zurickers, and that all former animosities should be buried in oblivion.

This generous confidence, on the part of Zurich, met not with the return it merited; as Albert was no sooner assured that his noble relation was
 at

at liberty, than he positively refused to give up the hostages, till he had been paid the sum of seven hundred florins, which he claimed as an indemnification for the expence they had occasioned. Such pitiful dealing, on the part of a mighty prince, was but little calculated to get the better of those prejudices, which prevailed so universally in Switzerland in favor of a republican government !

1343. From the transactions of the former year, it became obvious that nothing but a permanent union could effectually secure the liberties of the Helvetic states. We have seen, that in the late struggle, Berne had been forced, however reluctantly, to act in direct opposition to her own interests. Every principle of policy would have naturally induced her to side with the friends of freedom, with whom she had been long connected by those ties, which spring from a coincidence of views, and are the offspring of reciprocal esteem. They were fighting in the same glorious cause, in which she was herself engaged. Her own destruction would be the inevitable consequence of their fall. The assistance too, which she had received from the forest cantons, at the battle of Laupen, was still fresh in her memory. It was an obligation never to be obliterated from the heart of gratitude, in an age when that interested system,

system, which is miscalled *policy*, had not yet extinguished every finer feeling.

But an event took place, at this important moment, which seemed not only to render the prospect of an union more remote than ever, but which threatened to kindle the flames of discord in the very bosom of Helvetia, and to spread them to an alarming extent. The inhabitants of the vale of *Hafli*, in the environs of *Brientz*, had profited by the universal confusion to shake off their dependance upon the provost of *Interlachen*, and the baron of *Rinchenberg*, both of whom were in alliance with *Berne*. The commotion which seemed at first to be unimportant (if popular tumults can ever be so), by degrees extended, and increased to such a pitch, that the insurgents not only refused the payment of all fiscal contributions, but taking advantage of the baron's absence, set fire to his castle, which was in a short time consumed to the ground. It is more than probable that the people had been instigated to these acts of rebellion by the secret suggestions of their neighbors from *Unterwalden*, as several of the inhabitants of that canton took an active part in the disturbances. The *Berners*, on the other hand, who were scrupulously exact in fulfilling every political engagement, declared their resolution of reinstating the feudal lords in all their just prerogatives. A body
of

of troops was immediately sent into the revolted districts, who met with little opposition in restoring a temporary calm. They were, however, no sooner recalled, than the peasants flew once more to arms, and destroyed every public ensign of legal supremacy ; in which licentious enterprize they were again abetted by a reinforcement from Unterwalden.

Affairs had now taken a more serious turn. The authority of Berne was committed, and it was impossible for her to recede with honor. Messengers were therefore immediately dispatched to Solleure and Bienne, to summon them, as allies of the republic, to join her standard. With alacrity they obeyed the call, and uniting their friendly bands, marched instantly against the insurgents, who were so completely routed in the first skirmish, that all further resistance became impracticable. Even the brave natives of Unterwalden were compelled to a precipitate retreat, while the victorious army pursued them to the very confines of their own territory. Indignant at this unwonted repulse, they breathed revenge, and left no effort untried to convert their private quarrel into a national war. But the prudence of the confederates prevailed at length over the warmth of their resentment. To all violent proposals, they were answered, that according to the principles of the Helvetic union,

every difference of this nature ought to be determined by *award*, and not by *arms*. To this therefore they were called upon to submit. Convinced that nothing could be obtained by opposing the general wish, the Unterwalders consented to an arbitration. The result of which was, that they were severely censured for their inconsiderate conduct in engaging gratuitously in a quarrel, in which they had no immediate concern; and were strictly enjoined to abstain in future from all acts of hostility.

The impartiality of this decision was so satisfactory to the Berners, that all acrimonious humors were at once removed, and an alliance immediately took place, by which they also became members of the Helvetic confederacy.*

This treaty as usual, comprehends a variety of clauses to regulate the conduct of each individual member under all possible circumstances. After the accustomed stipulations with respect to feudal claims, it was enacted, "that upon the first alarm of war, each canton should send a delegate to Keinholtz† to regulate the plan of ope-

* The ceremony took place at Lucerne, on the 6th of May, 1350.

† A village upon the lake of Brienz, which has been since destroyed by an inundation.

" rations.

“ rations. That upon the requisition of Berne,
“ the forest cantons were to march without delay,
“ even though the attack should be directed against
“ one of her dependant towns : while the Berners,
“ on their part, were to hasten to the succor of
“ their allies, whenever, and *wherever* they were
“ required.”

From this period the *confederacy* assumed a more regular and imposing aspect ; as it now comprehended eight cantons, which ranked in the following order—Zuric, Berne, Lucerne, Uri, Schweitz, Unterwalden, Zug, and Glaris. This union has been since distinguished by the appellation of the OLD BOND. During the space of one hundred and thirty years, it remained entire, without any accession or diminution. And even after the junction of the five additional cantons, the original members continued still to enjoy many appropriate and valuable privileges, by which they were distinguished from their new allies.

This indeed forms a most important epocha in the annals of Helvetia. It arrests our notice ; it excites our wonder ; it attracts our sympathy. Nor can we look back to the nocturnal assembly in the field of Rutli, WITHOUT TRACING IN VISIBLE CHARACTERS THE DESIGN OF A PROTECTING PROVIDENCE, WHO AMID THE CALAMITIES, AND CONVULSIONS

VULSIONS WITH WHICH DESPOTISM AND AMBITION HAD LONG DESOLATED THE EARTH, BENIGNLY WILLED, THAT IN THE ALPINE VALLIES, THERE SHOULD EXIST A PRIVILEGED SPOT, WHERE THE FLAME OF LIBERTY SHOULD BURN WITH UNEXTINGUISHED LUSTRE, AND WHERE BY CONTEMPLATING THE BLESSINGS OF A FREE GOVERNMENT, MANKIND MIGHT HEREAFTER ACQUIRE A JUST ESTIMATE OF THEIR RIGHTS, AND LEARN FROM THEIR EXAMPLE THE PROPER MEANS TO DEFEND THEM.

END OF THE FIRST VOLUME.

UNIV. OF MICHIGAN,

JUN 22 1912